

## HOUSE OF REPRESENTATIVES

TUESDAY, April 15, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, give us this day our daily bread, such as shall feed our minds, enrich our hearts, and forgive us when we fail to appreciate the daily blessings of life. Be unto us such a reality so that we shall be able to repress the harsh words and confess our faults. O Thou whose ways are always right because wisdom and love are always over them, allow nothing that is human to be alien to our hearts. When we think of the weak, the ignorant, and the poor, remind us, our Father, that the law of service is one of the supreme laws of men. Through doubt, temptation, and privation may our faith cleave steadfastly to the Galilean Teacher. Let Him be the consummation of our love and hope. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

H. R. 5619. An act to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes;

H. R. 6121. An act to authorize the maintenance of central warehouses in national parks and national monuments and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses;

H. R. 6800. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 8527. An act to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929;

H. R. 8799. An act to provide for a survey of the Choctawhatchee River, Fla. and Ala., with a view to the prevention and control of its floods;

H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo.; and

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 980. An act to permit the United States to be made a party defendant in certain cases;

H. R. 1251. An act for the relief of C. L. Beardsley;

H. R. 4138. An act to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries"; and

H. R. 6874. An act to authorize exchanges of lands with owners of private-land holdings within the Petrified Forest National Monument, Ariz.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 195. An act to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes;

S. 328. An act for the relief of Edward C. Dunlap;

S. 485. An act to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes;

S. 548. An act for the relief of retired and transferred members of the Naval Reserve Force, Naval Reserve, and Marine Corps Reserve;

S. 670. An act for the relief of Charles E. Anderson;

S. 968. An act for the relief of Anna Faceina;

S. 1264. An act for the relief of Joliet National Bank, Commercial Trust & Savings Bank, and H. William, John J., Edward F., and Ellen C. Sharpe;

S. 1696. An act for the relief of Thomas L. Lindley, minor son of Frank B. Lindley;

S. 1955. An act for the relief of the Maddux Air Lines (Inc.);

S. 2113. An act to aid in effectuating the purposes of the Federal laws for promotion of vocational agriculture;

S. 2189. An act for the relief of certain homestead entrymen in the State of Wyoming;

S. 2224. An act to change the name of Iowa Circle in the city of Washington to Logan Circle;

S. 2354. An act to amend the agricultural marketing act so as to include dip or crude gum;

S. 2465. An act for the relief of C. A. Chitwood;

S. 2757. An act to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.;

S. 2788. An act for the relief of A. R. Johnston;

S. 2865. An act granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States;

S. 3284. An act for the relief of the Buck Creek Oil Co.;

S. 3301. An act for the relief of Hunter P. Mulford;

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes;

S. 3531. An act authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests, and for other purposes;

S. 3541. An act to amend section 22 of the Federal reserve act, as amended;

S. 3627. An act to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes;

S. 3664. An act for the relief of T. B. Cowper;

S. 3665. An act for the relief of Vida T. Layman;

S. 3666. An act for the relief of the Oregon Short Line Railroad Co., Salt Lake City, Utah;

S. 8774. An act to amend the United States mining laws applicable to the national forests within the State of South Dakota;

S. 8817. An act to facilitate and simplify national-forest administration;

S. 8836. An act for the relief of David McD. Shearer;

S. 4079. An act to amend section 4 of the Federal reserve act;

S. J. Res. 155. Joint resolution to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson; and

S. J. Res. 165. Joint resolution authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States district court in and for the district of Delaware.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8960) entitled "An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9546) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes," disagreed to by the House; agrees to the conference asked by the House

on the disagreeing votes of the two Houses thereon, and appoints Mr. KEYES, Mr. SMOOT, Mr. JONES, Mr. OVERMAN, and Mr. GLASS to be the conferees on the part of the Senate.

#### MINORITY VIEWS ON H. R. 6603

Mr. BELL. Mr. Speaker, I ask unanimous consent to print in the RECORD the minority views on H. R. 6603, commonly known as the 44-hour bill.

Mr. SPEAKER. The gentleman from Georgia asks unanimous consent to file minority views on House bill 6603. Is there objection?

There was no objection.

Mr. BELL. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following minority views on H. R. 6603, the 44-hour bill:

[H. Rept. No. 1092, pt. 2, 71st Cong., 2d sess.]

#### 44-HOUR WEEK IN POSTAL SERVICE

Mr. BELL, from the Committee on the Post Office and Post Roads, submitted the following minority views (to accompany H. R. 6603):

I am unable to agree with the report of the Committee on the Post Office and Post Roads recommending the passage of the bill (H. R. 6603) to provide a shorter workday on Saturday for postal employees.

The legislation is not warranted at the present time in view of all the facts and circumstances which should be considered by the Congress in connection with the subject. Whatever merit there may be in the proposition, and however desirable it may be to shorten the workday in the Postal Service, it should not be done regardless of the conditions of postal revenues and expenditures and the relations of the Postal Service to business in general.

The Postmaster General has reported that the deficiency in postal revenues for the fiscal year 1930 will be approximately \$87,000,000, and that the passage of the 44-hour bill would add approximately \$13,626,000 more to the annual expenses of the department, bringing the deficit up to a sum in excess of \$100,000,000.

The deficiency is not the result of uneconomical administration, but has been materially effected by legislation enacted by Congress affecting both receipts and expenditures and by a decision of the Interstate Commerce Commission adding \$15,000,000 to the amount the department is required to pay the railroads annually for transporting the mails.

Under these circumstances special consideration should be given to the question whether it is an opportune time to make further increases in postal salaries or expenditures for personal postal services, and whether it is just to the public to do so under the circumstances. The employees have not been illiberally treated. It has been shown that during the period from 1921 to 1929 they have been paid in salaries \$1,502,893,000 more than they would have been paid for the same period if the acts of Congress increasing their salaries during the past 11 years had not been passed. This is not a claim that the increases in salaries were not justified.

The Post Office Department is the servant of the people and its facilities should not be withdrawn from business until business itself adjusts its requirements to allow it to be done. The report of the committee shows that in some trades and it is stated that in other lines of business the hours of labor for the week have been reduced, but it is not shown that the business interests generally which are served by the department have readjusted their Saturday hours to permit a reduction in postal service.

The department has not been illiberal or backward in granting a reduced-hour week by curtailing personal services on Saturday where it is practicable to do so without interfering with business. The postmasters have been authorized in cases where it can be done without interference with service to give as much respite as possible from work on Saturday afternoons. This general practice was extended on September 3, 1924, to cover the entire year. It appears, therefore, that the action the department has taken meets the situation as far as it is practicable under existing conditions. As those conditions change the relief will automatically become effective.

There may be a difference of opinion as to whether the Government could afford to assume the extra financial burden at this time which the proposed legislation in its present form would entail.

Laying aside for the moment the question of the extra financial obligation the Government would assume under the legislation, let us see how the legislation would meet the pretended purpose of this bill. For instance, the fundamental and real purpose of this legislation is said to be based on the ground that a half holiday each week is needed by those affected by it. There are many, I think, who are quite willing to extend the half holiday each Saturday afternoon who find objections to granting the half holiday and paying the party regular pay for taking a rest. Notwithstanding the profession that the bill is for the purpose of giving the employed a half holiday, the bill, if enacted into law in its present form will prove that the employed will continue to work in nine cases out of ten and draw the pay for the holiday time.

There is a great amount of unemployment throughout the country at the present time. Would it not be better, rather than to grant a half

holiday each week to those employed at a regular salary and then pay them for taking it, to grant the half holiday outright and allow the substitutes to carry on the Saturday afternoon's work? This would give those who say they want the half holiday "to rest" the certain and positive privilege "to rest." It would give others who are in much more need of an opportunity to earn something upon which to live, an opportunity to do more substitute work and, in time, such substitutes would increase and those who are in part unemployed would be given an opportunity to serve for wages to a greater extent than they now have and in addition, in the course of time, a splendid substitute list would be developed that would be ready to take up positions now held by employees when vacancies should occur by death, retirement, resignation, or otherwise. It is a doubtful policy of legislation to extend additional holiday privileges to those having regular employment, with the extra burden for increased pay for those who take it, while at the same time other citizens are totally without work and walking the streets in hunger, but begging only for the privilege of working for a regular wage for the time and service actually rendered.

For the above reasons I submit this minority report against the passage of the bill.

THOS. M. BELL.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Thursday, April 24, after the disposition of matters on the Speaker's table, I may be permitted to address the House for 20 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent that on Thursday, April 24, after the disposition of matters on the Speaker's table, he may be permitted to address the House for 20 minutes. Is there objection?

There was no objection.

#### CONFERENCE REPORT—INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WASON. Mr. Speaker, I present a conference report on the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes, for printing under the rule.

Mr. GARNER. When does the gentleman expect to call up this conference report for consideration?

Mr. WASON. Perhaps Thursday.

Mr. GARNER. Some gentlemen would like to be here when conference reports are considered, and I think it would always be well to state when the report is made just when you expect to call up the report so the record may show.

Mr. WASON. I will be glad to tell my colleague that I intend to take it up Thursday.

#### CONFERENCE REPORT—STATE, JUSTICE, COMMERCE, AND LABOR DEPARTMENTS APPROPRIATION BILL

Mr. SHREVE. Mr. Speaker, I call up the conference report on the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Pennsylvania calls up a conference report and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement accompanying the report.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 24, 25, 28, 29, 36, 44, and 49. That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 17, 18, 19, 20, 21, 22, 26, 27, 31, 32, 33, 34, 35, 37, 40, 41, 42, 43, 45, 46, 47, 48, and 50, and agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Protecting interests of the United States under settlement of war claims act of 1928: For protecting the interests of the United States in claims arising under the settlement of war



claims act of 1928, including legal and clerical services in the District of Columbia and elsewhere, traveling expenses, and the employment of experts at such rates of compensation as may be determined by the Attorney General, \$60,750: *Provided*, That no part of this sum shall be used to pay any salary at a yearly rate in excess of \$9,000."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable the Secretary of Commerce, under such regulations as he may prescribe, in accordance with the provisions of the act approved April 12, 1930, amending an act entitled 'An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, a Foreign Commerce Service of the United States, and for other purposes,' approved March 3, 1927, to furnish the officers in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and within the limits of this appropriation, allowances for living quarters, heat, and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U. S. C., title 5, sec. 70), \$200,000."

And the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "\$4,886,660"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,916,015"; and the Senate agree to the same.

MILTON W. SHREVE,  
GEORGE HOLDEN TINKHAM,  
ERNEST R. ACKERMAN,  
ROBERT L. BACON,  
W. B. OLIVER,  
ANTHONY J. GRIFFIN,

*Managers on the part of the House.*

W. L. JONES,  
FREDERICK HALE,  
H. W. KEYES,  
W. E. BORAH,  
LEE OVERMAN,  
W. J. HARRIS,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes, submit the following statement explaining the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

#### DEPARTMENT OF STATE

On No. 1: Transfers a proviso originally approved by the House from the beginning of the bill to the end of the bill under section 2 created for this purpose.

On No. 2: Inserts the words "and telephone service" as proposed by the Senate in a paragraph originally allowing the Secretary of State, in his discretion, to procure information on behalf of corporations, firms, and individuals, the expense of which may be charged against the respective appropriations for the service utilized and reimbursement made at a later date.

On Nos. 3 to 8, relating to contingent expenses for foreign missions: Appropriates \$1,336,325, as proposed by the House, instead of \$843,240, as proposed by the Senate; and strikes out certain language proposed by the Senate, the purpose of which was to segregate all rental allocations under this fund in a separate paragraph.

On No. 9, relating to clerk hire at United States consulates: Appropriates \$1,853,266, as proposed by the House, instead of \$1,884,266, as proposed by the Senate.

On Nos. 10 to 13, relating to contingent expenses, United States consulates: Appropriates \$1,737,140, as proposed by the House, instead of \$792,303, as proposed by the Senate; and strikes out certain language as proposed by the Senate, the purpose of which was to segregate all rental allocations under this fund in a separate paragraph.

On No. 14: Reinserts a paragraph as proposed by the House permitting the Secretary to make rental allowances and strikes out a paragraph proposed by the Senate segregating all appropriations for rent of offices and rental allowances in one fund and permitting the Secretary of State to make rental allowances to Foreign Service officers. The result of such action is to eliminate \$100,000 of increase proposed by the Senate and to restore to the appropriations "Contingent expenses, foreign missions," and "Contingent expenses, United States consulates," the amounts for rentals transferred to the separate paragraph by the Senate.

On No. 15, relating to immigration of aliens: Appropriates \$600,000, as proposed by the House, instead of \$518,090, as proposed by the Senate.

On No. 16: Appropriates \$50,000, as proposed by the House, instead of \$70,000, as proposed by the Senate, for the relief and protection of American seamen.

On No. 17: Appropriates \$518,000, as proposed by the Senate, instead of \$510,000, as proposed by the House, for the transportation of Foreign Service officers.

On No. 18: Appropriates \$120,000, as proposed by the Senate, for completing the construction and furnishing of buildings at Tokyo, Japan.

On No. 19: Appropriates \$92,000, as proposed by the Senate, for representation allowances.

On No. 20: Appropriates \$60,355, as proposed by the Senate, instead of \$46,655, as proposed by the House, for salaries and expenses in carrying out the waterways treaty between United States and Great Britain.

#### DEPARTMENT OF JUSTICE

On Nos. 21 and 22: Strikes out two unnecessary titles to appropriation units, as proposed by the Senate.

On No. 23: Appropriates \$60,750, instead of \$62,750, as proposed by the Senate, for protecting interests of the United States under settlement of war claims act of 1928, strikes out a proviso as proposed by the Senate providing that no salary thereunder at a yearly rate in excess of \$10,000, and not more than two salaries at a yearly rate of \$9,000, and inserts a proviso, as proposed by the House, that no salary thereunder should be at a yearly rate in excess of \$9,000.

On Nos. 24 and 25: Appropriates \$152,338, as proposed by the House, instead of \$192,878, as proposed by the Senate, for salaries and expenses for the office of the superintendent of prisons.

On No. 26: Inserts the words "and under the following heads," as proposed by the Senate, in the general authorizing paragraph for the appropriations for the different penal institutions.

On No. 27: Corrects a typographical error, as proposed by the Senate.

On Nos. 28 and 29: Appropriates \$377,125, as proposed by the House, instead of \$393,125, as proposed by the Senate, for the Federal Industrial Institute for Women.

#### DEPARTMENT OF COMMERCE

On No. 30: Appropriates \$200,000, as proposed by the Senate, permitting the Secretary of Commerce to furnish Foreign Service officers of the Bureau of Foreign and Domestic Commerce rental allowances abroad, strikes out the words "outside the continental limits of the United States," as proposed by the Senate, and inserts in lieu thereof the words "in a foreign country," as proposed by the House, and inserts the title of the act authorizing the practice of making rental allowances into the paragraph, as proposed by the House.

On Nos. 31, 32, and 33: Makes some money immediately available, as proposed by the Senate, in the appropriation paragraph for aircraft in commerce.

On No. 34: Appropriates \$419,000, as proposed by the Senate, instead of \$384,000, as proposed by the House, for promoting commerce in the Far East.

On No. 35: Appropriates \$710,000, as proposed by the Senate, instead of \$685,000, as proposed by the House, for district and cooperative offices.

On Nos. 36: Appropriates \$973,000, as proposed by the House, instead of \$1,008,000, as proposed by the Senate, for export industries.

On No. 37: Corrects a typographical error, as proposed by the Senate.

On Nos. 38 and 39: Corrects totals under the Bureau of Foreign and Domestic Commerce, as proposed by the House.

On No. 40: Inserts the words "more durable," under the appropriation for investigation of textiles, as proposed by the Senate.

On No. 41: Appropriates \$235,000, as proposed by the Senate, instead of \$250,000, as proposed by the House, for standardization of equipment under the Bureau of Standards.

On No. 42: Corrects the total for the Bureau of Standards, as proposed by the Senate.

On No. 43: Appropriates \$106,500 for completing the construction of a surveying vessel in the Coast and Geodetic Survey, as proposed by the Senate.

On Nos. 44 and 45: Appropriates \$3,474,930, as proposed by the House, instead of \$3,319,450, as proposed by the Senate, for the Patent Office and strikes out a proviso, proposed by the House, making the expenditure of some of the funds appropriated contingent upon the passage and approval of recent legislation affecting the Patent Office.

On No. 46: Inserts a comma, as proposed by the Senate.

On No. 47: Inserts a proviso, as proposed by the Senate, making the term "fuel" include fuel oil under the Government fuel yards.

#### DEPARTMENT OF LABOR

On No. 48: Makes available for the purchase of newspaper clippings \$1,800, as proposed by the Senate, instead of \$1,000, as proposed by the House.

On No. 49: Appropriates \$240,500, as proposed by the House, instead of \$205,000, as proposed by the Senate, for printing and binding.

On No. 50: Transfers a paragraph, as proposed by the Senate, from the beginning of the bill to the end of the bill, creating section 2 for that purpose.

MILTON W. SHREVE,  
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*Managers on the part of the House.*

Mr. SHREVE. Mr. Speaker, I wish to say that the Budget estimates, including supplemental estimates, which were presented to Congress for its consideration, amounted to \$114,179,473.14. After agreement in conference the sum total, as represented by the conference report before the House to-day, amounts to \$114,268,236.14, an increase over the estimate of \$88,763. This is money that was added by the Senate in many instances because of matters that came to the Senate after the bill passed the House.

I want to say in this connection that since the first days of November this committee has had this bill in charge, and the same uniform courtesy which has always existed and the fine spirit that has always been demonstrated in the consideration of this bill has been found now as in the past. I desire to congratulate and compliment the members of my committee for the very loyal support they have given in the passage of this bill.

Mr. BYRNS. I want to ask the gentleman a question in regard to one of the amendments which has been agreed upon by the conference. Just what is meant by the amendment carrying \$92,000 called "representation allowances"?

Mr. SHREVE. That means that this money is to be allocated to foreign missions where large expenditures have to be made. For instance, this year the Pan American conference is to be held in Montevideo, Uruguay, and this conference will necessitate the expenditure of considerable money there on the part of the United States, and unfortunately, the official representative of our Government who is in charge of that station at the present time has to depend entirely upon his salary. This is one instance and there are others. Of course, the amount appropriated, \$92,000, would not be a drop in the bucket in comparison with the money spent all over the world, but it will help materially in a number of instances where the men are not able to take care of expenditures for dinners and entertainment of that sort. This is going to help out some.

Mr. BYRNS. Do I understand the gentleman to mean that this money is to be appropriated for entertainment expenses?

Mr. SHREVE. Not exactly for entertainment.

Mr. BYRNS. Then for what is it to be appropriated? The gentleman said something about the meeting in Montevideo—

Mr. SHREVE. If the gentleman wants to call it entertainment, then call it that.

Mr. BYRNS. That is what I had understood about it.

Mr. SHREVE. This fund is to allow the official representatives of our Government to represent our country in its official capacity when certain official entertainment and national representation is necessary. Men from all over North and South America are going to be at Montevideo and the United States Government is one of the principal parties to the conference.

I am pleased to say that we have always endeavored to be most friendly with our South American neighbors, and have always felt that the South American countries should stand

absolutely on an equality, and we are going down there and bear our share of the burden, whatever it is, in the conduct of this conference. Other conferences are taking place in other countries.

Mr. BYRNS. I will say to the gentleman when I saw this amendment, which does not mean anything on its face, because it is simply headed "Representation allowances," naturally I was a little curious to know what it meant and I made inquiry, and I was told that this \$92,000 which was put on the bill by the Senate is intended to cover entertainment expenses incurred not only in South America but by embassies all over the world; is this correct or incorrect?

Mr. SHREVE. We will grant that that story is true. The amount that could be allotted to each individual mission would not exceed \$1,500 a year.

Mr. BYRNS. I understand that; but in all it amounts to \$92,000 this year, and I predict that this will simply be the camel getting his nose under the tent, and in the course of a year or two we will be appropriating hundreds of thousands of dollars for this purpose.

Mr. SHREVE. I am not in agreement with the gentleman on that. The authorizing law was passed several years ago.

Mr. BYRNS. Yes; but Congress has never made any appropriation to cover it.

Mr. SHREVE. It is legally authorized.

Mr. BYRNS. Yes.

Mr. SHREVE. We find now that conditions are entirely different. I traveled all over Europe last year myself. I was in 9 different countries and visited 27 cities. I found the official representatives of our Government stationed at these different points living on salaries that were not sufficient to maintain them, and they had to spend their own money all the time. In view of the position of this great Government, I would be ashamed to travel abroad again and find that our foreign representatives are not receiving enough to live on decently.

Mr. BYRNS. This is not to increase salaries. This is for social activities, and, so far as I am concerned, I am opposed to appropriating money out of the public funds for social activities, whether it is in another part of the world or in this country. I do not think the Congress has any such authority, and I do not think Congress should exercise the authority if it has it, in appropriating public money for the social activities of any employee of the Government. There may be cases where delegates are invited here and where we participate in conferences, and this may be necessary. I have voted for such appropriations, but in every case the bill or the amendment on its face would show just what it was to be used for and it was limited to that specific purpose.

I would like to ask the gentleman, before he moves the previous question, to give me 5 or 10 minutes so that I may speak on the subject.

Mr. SHREVE. I will be very happy to yield the gentleman 5 or 10 minutes right now.

Mr. BYRNS. Mr. Speaker, I will only take 5 minutes. I think I can get through in that time.

Mr. Speaker, I have said practically all I can say on this particular subject. I remember that eight or nine years ago, for the first time, so far as I know, in the history of the Congress, the appropriations for the traveling expenses of the President were made available for entertainment. I opposed it on the floor at the time. It was inserted as a Senate amendment, as I recall, and, of course, it has been carried in the bill ever since that time.

Now, here for the first time we are confronted with a proposition to appropriate \$92,000 for entertainment and social purposes, as the gentleman says, for the embassies throughout the world.

I understand that in the allocation which was submitted, it was proposed to allocate as much as \$2,000 in some instances, and in no instance less than \$1,500.

The gentleman says that \$92,000 is not much money. Well, I am not going to agree with that statement, and if we are going to start appropriating money to enable embassies to entertain I can see there will be no limit to it. This is simply the camel putting his nose under the tent, and you will be confronted year after year, not only with \$92,000, but with Budget estimates requesting much more than \$92,000.

Mr. CLARKE of New York. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. CLARKE of New York. Does not the gentleman think that by the conferees agreeing to this expenditure that we are going to open up all the floodgates of precedent? With all the inhibition and prohibition in this country what are they going to do? Talk about the camel getting his nose under the tent—



there will be a whole group of them in a short time, and each with a horrible thirst. [Laughter.]

Mr. BYRNS. The gentleman is clearly correct. I am not criticizing the conferees on the part of the House, although I regret very much that they yielded to this proposition. I think they should have brought a proposition of this kind, which was new and for which there is no precedent—I think they should have brought it back to the House and given us an opportunity to vote on it and express our own convictions. Here we are confronted with a conference report and this amendment is embodied in the report. In order to defeat this amendment we must vote against the whole report. I recognize that any protest that I may make is not only a feeble one but a useless one, but I did want to register my own opposition to it.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. LA GUARDIA. Regardless of the merits, is there any law authorizing it?

Mr. BYRNS. Yes; I understand there is a law which was passed in 1924; but Congress has never seen fit up to this time to make an appropriation under that law, evidently for the reason that heretofore Congress has felt that it was not a proper appropriation to make.

Mr. BACON. Will the gentleman yield?

Mr. BYRNS. Yes.

Mr. BACON. I suggest that the Budget heretofore has never passed this item, but it was fully debated when the Rogers bill was before the House, and it is authorized by a provision in the Rogers bill. No appropriation could be made under it unless it was approved in all its details by the Secretary of State.

Mr. BYRNS. I do not question but every dollar of the money will be spent, and I do not question but that every dollar that is spent will be approved by the Secretary of State. But I think it is being spent for an entirely improper purpose and one foreign to the objects for which taxes are levied and collected and placed in the Treasury.

The gentleman from New York says the law was passed in 1924. We are confronted with statements recently issued from the White House in which the inference was contained that Congress was appropriating money carelessly and uselessly, and unless Congress exercises more care and economy it might be necessary to increase taxes over the reduction that was made at this session.

The SPEAKER. The time of the gentleman has expired.

Mr. SHREVE. I yield the gentleman five minutes more.

Mr. BYRNS. I am surprised that the Budget and the President of the United States, in the face of the warning given Congress and the country, should approve this proposition. I am protesting against this policy that we are now inaugurating, and, what is more, I want to call attention to the fact that this is put in merely as a "representation allowance." There is nothing to show what it is really for. There is not a man on the floor of the House except the conferees who was not in the same position I was yesterday when I saw this amendment written into the bill. I went to a conferee and asked him just what it meant. I say that this Senate amendment ought to show on its face just what it is for and not be covered up under the general and indefinite term of "representation allowance," so that Members would not know what they are voting for.

Mr. RANKIN. Will the gentleman yield?

Mr. BYRNS. Yes.

Mr. RANKIN. Does not the gentleman think that within a short time they will be including the attachés and appropriating money for their entertainment?

Mr. BYRNS. Undoubtedly—there is no limit to what it may lead to—not only allowance appropriated for the State Department but other foreign services of this Government. Of course some might draw a distinction, but I would not be prepared to say that if we are going to appropriate money for social entertainment for embassies all over the world that it would not be proper and fair to these commercial attachés in other foreign services to appropriate money for them.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. CRISP. How is this money to be allocated? Is it left to the discretion of the Secretary of State?

Mr. BYRNS. Entirely so. It is a lump sum of \$92,000, appropriated for what would appear to be a very indefinite thing, "Representation allowances." Of course the Secretary of State will make the allocation. I am not questioning the fact that he will be fair with the embassies. It is the policy that we are inaugurating here against which I most earnestly protest.

Mr. SHREVE. Mr. Speaker, if the gentleman will read the hearings he will find that \$1,500 is estimated to be allocated to

each embassy out of this appropriation, and no more. That amount will not go very far. These ambassadorial representatives of this Government of ours, of course, are in foreign countries. They have to maintain the dignity of the United States, and when a national event, such as the Fourth of July, is being celebrated, quite frequently it is necessary to give a celebration, which will probably cost them \$1,500. For instance, in the city of Paris many Americans visit the embassy; also there is another thing, and that is when the boys in training and coming from Annapolis make a trip abroad or go around the world there is no available money to allow the diplomatic representatives of our Government to arrange a meeting and give an entertainment officially. I was in Seville last year when these men were there, and there was no money to arrange such an undertaking.

Mr. BYRNS. But if we are going to take care of that situation, let us be honest about it, and write it into the bill.

Mr. SHREVE. We have written into the bill the exact language that is in the Rogers Act.

Mr. BYRNS. I understand that with reference to the amount that will be allocated, the allocation submitted in the hearings, as I recall, said it would not exceed \$2,000, and that the minimum would be \$1,500; but whether it is \$1,500, \$2,000, or \$500, I say that I do not believe, especially at this time, when the people are crying for bread all over the country, that we should undertake to make appropriations out of public funds for high social entertainment in any embassy in the world. [Applause.] I protest as vigorously as I can against this appropriation, and I hope that it will not be continued.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. STAFFORD. Has any explanation ever been made why this appropriation is for the first time now being made, although the authorization was carried as far back as 1924?

Mr. BYRNS. I have never heard any explanation of that fact. It came in here, as I say, by way of a Senate amendment, which I do not think was even discussed or explained on the floor of the Senate, under the head of "Representation allowances."

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. SHREVE. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER of Alabama. Mr. Speaker, we will find, when Congress meets in December to consider another bill for the Department of State, that the gentleman from Tennessee [Mr. BYRNS] has rendered a distinct service to the country in calling attention to this item. I concur in the views expressed by him as to this item. The gentleman from Wisconsin [Mr. STAFFORD] asked what explanation had been offered as to why, for the first time, this item had been approved by the President. The only real explanation that I have heard at any time was a suggestion by some one that the Secretary of State, Mr. Stimson, took it up with the President while they were in Virginia on a recreational visit, and after the matter was fully discussed the President gave his approval thereto. The House Appropriation Committee was so little impressed with this item that they disallowed it; and when the chairman of the committee was discussing this bill before the House some one inquired of him about this item, and he stated the committee had disallowed it, and the House passed the bill without anyone insisting on the inclusion of the item. The Senate inserted it, and I regret that a majority of the conferees favored its retention. The gentleman from New York [Mr. CLARKE] made a very important observation in connection with the remarks made by the gentleman from Tennessee [Mr. BYRNS], and those matters were adverted to by members of our committee and were partly responsible for our committee's refusal to recommend the same to the House.

Before the House disposes of the conference report on this bill carrying appropriations for the Department of State for the fiscal year ending June 30, 1931, I deem it important that some facts in reference to other items now fresh in the minds of the members of the committee be written into the record. I venture to predict that these facts will present the basis for an interesting study by the next Congress, and I am hopeful it may restrain the State Department from making an unreasonable and unwise expenditure of public funds.

The Budget estimate submitted this year to the Committee on Appropriations for the Department of State carried for the first time estimates for rent, heat, fuel, and light, and what is commonly called "representation allowances" for its Foreign Service officers. The committee disapproved the Budget recommendation for representation allowances, amounting to \$92,000, and also reduced the Budget estimate for rent, heat, fuel, and



light \$100,000. The House approved the action of the committee as to these matters.

An item of \$200,000 to provide heat, light, and fuel for the Foreign Service in the Department of Commerce was stricken out on a point of order by the House.

The Senate restored the \$92,000 for representation allowances to the State Department and also increased for the State Department the amount carried for rent, fuel, and light by \$100,000, which was the amount the House deducted from the Budget estimate. The Senate also carried \$200,000 for the Foreign Service in the Department of Commerce, and this appropriation was inserted in the bill on a supplemental estimate submitted by the Bureau of the Budget, with the approval of the President, before any legislation was passed either in the House or Senate authorizing the same. Before this bill was taken up in conference, the bill reported by the Committee on Interstate and Foreign Commerce authorizing rent, fuel, and light allowances for the Foreign Service in the Department of Commerce had been approved by the President, thus making such item in order when the conferees met. The gentleman from Pennsylvania [Mr. SHREVE] understands why I call attention to the Budget estimate being sent to the Senate before there was legal authority therefor.

I wish to here submit a letter from Hon. W. L. Cooper, Director of the Bureau of Foreign and Domestic Commerce, showing that \$200,000 will care for the needs of the Foreign Service and further showing a reasonable and prudent allocation of such funds for the purposes appropriated.

The letter follows:

Hon. MILTON W. SHREVE,  
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I understand that a question has arisen with reference to the proposed distribution of the appropriation of \$200,000 which we have requested in order to provide for quarters for our men abroad. The following is an estimate of the requirements of our men abroad under present conditions:

Class	Number of men	Annual rate (maximum)	Annual amount
I.....	8	\$1,800	\$14,400
II.....	29	1,500	43,500
III.....	76	1,200	91,200
IV.....	54	900	48,600
V.....	22	600	13,200
Total.....			210,900

It is anticipated, however, that, on account of our foreign field men who are now assigned to duty in the United States, and because of men returning home on leave, the required amount will be well below the \$200,000 limit. The above list also includes our field officers who are stationed in the Philippines and Porto Rico, who will not be eligible for quarters' allowance because it was decided that the regulations would apply only to those in foreign countries.

Trusting that this will give you the desired information, I am,  
Yours very truly,

W. L. COOPER, Director.

This letter shows that the Bureau of Foreign and Domestic Commerce, of which Mr. Cooper is the director, appears to have made a very reasonable allocation of the \$200,000 provided for rent, heat, and light for foreign officials serving under the Bureau of Foreign and Domestic Commerce, and such an allocation as Mr. Cooper suggests in his letter can well be approved.

I felt that it was important that the House have this information, since it was this letter by Mr. Cooper that led the House conferees on this bill to make further inquiry of the State Department as to its allocation of funds carried in the bill for rent, heat, and light for its Foreign Service, and which amount the Senate had increased by \$100,000. In conference with a representative of the State Department the committee felt that the tentative allocation of this fund was not reasonable, prudent, or fair, and the House conferees then concluded to place a limitation on the amount carried in the Senate bill, so that the State Department could not allocate to its officials what, in the judgment of the House conferees, would have been unreasonable sums.

The Senate conferees were unwilling to consider any limitation, and announced they would not insist on the language inserted by the Senate and would concur in the action originally taken by the House, even though it carried a smaller appropriation. This action by the Senate conferees prevented the House conferees from further insisting on a limitation being imposed on this fund. The House conferees, however, are still of the opinion that some limitation should have been fixed on the expenditure of this fund by the State Department, but the re-

fusal of the Senate conferees to agree thereto made it impossible to write any limitation in the bill.

The gentleman from Tennessee [Mr. BYRNS] was correct in stating that the fund carried under the head, "Representation allowances," had been tentatively allocated by the State Department in sums of \$2,000 and \$1,500 to ambassadors and ministers, respectively. Although we have some important consulates at foreign capitals, the tentative allocation of this fund did not include any in the Consular Service. On page 177 of the hearings before the House committee will be found a table showing the tentative allocation of the fund by the State Department. This table, you will find, has a column headed "rent," and the representative of the State Department, when his attention was called by the House conferees to the amount appearing in this column, stated that those amounts represented the tentative maximum allowance that would be made to the foreign representatives and that such amounts in the rent column included rent, heat, and light. It was further stated by this representative of the State Department that though it appears that separate allocations had been made for heat and light, yet the entire amount for heat, light, and rent appeared in the rent column. I will ask the chairman, Mr. SHREVE, if I am correct in my recollection as to this.

Mr. SHREVE. Yes.

Mr. OLIVER of Alabama. It was after we discovered this tentative allocation by the State Department that the House conferees proposed to the Senate conferees a limitation on the expenditure of this fund as previously stated.

This House has appointed a joint committee to make further study of the pay and allowance to the Army, the Navy, the Coast and Geodetic Survey, the Coast Guard, the Marine Corps, and the Public Health Service. To all of these there are allowances for rent, fuel, and light, but the maximum amount allowed to any officer in any of these services for rent, fuel and light approximates \$1,500. You will understand that when the House conferees found that the State Department was considering making for this same purpose an allowance to a foreign official in the State Department as much as \$9,000, that they felt it important to place some limitation on the amount that could be expended for such purposes, and the limitation proposed would have allowed to some officials more than \$4,000 for rent, heat, and light at certain foreign posts. If the State Department is permitted to establish an unreasonable basis for rent, fuel, and light for officers in its services, it requires no stretch of imagination to see how other services will demand a like basis of allowances. When you allow for fuel, rent, and light a certain sum to any Government department for its officials, then other services which are entitled to rent, fuel, and light will insist that like treatment be accorded to them.

Congress has fixed as the maximum traveling allowance in continental America, which covers rent, heat, light, and subsistence, \$6 per day, yet if the proposal of the State Department should be approved, we would permit \$9,000 allocated to a single official for rent, heat, and light per annum.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. LINTHICUM. Where is the \$9,000?

Mr. OLIVER of Alabama. On page 177 of the hearings before the Committee on Appropriations you will find the allocation. Looking at the table I find \$9,000 for Madrid, \$9,000 for Habana, \$9,000 for Berlin, and other places. In this case attention may be called to Berlin.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. OLIVER of Alabama. May I have two minutes more?

Mr. SHREVE. I yield to the gentleman two minutes more.

Mr. OLIVER of Alabama. At Berlin, for instance, we find that ambassadors would be allowed \$9,000 for rent, fuel, and light. The solicitor who is the next highest official at that post, with a salary of \$9,000, would be allowed \$1,500 for rent, heat, and light. A secretary, with a salary of \$4,000, under the tentative proposal, would be allowed for rent, heat, and light \$3,000. This difference between these officials being explained on the ground that the rent now paid by the ambassador was more than \$9,000, by the solicitor was \$1,500, and by the secretary was more than \$3,000.

My reason for calling the attention of the House to this tentative allocation by the State Department of this appropriation was prompted by the hope that it would serve to check the State Department in making unreasonable allocations for rent, heat, and light.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. LINTHICUM. The gentleman knows that through the authority of Congress we have built a number of embassies and other buildings abroad, and it was thought by the State De-



partment that if you gave a man a new home and paid the expenses of that home you ought at least to give the other man the rent that his home is costing. Is not the purpose to give everybody the same treatment, fairly and alike?

Mr. OLIVER of Alabama. The gentleman from Maryland has been a Member of Congress even longer than I have. He was here when we revised the pay bill in 1922 for the Army, Navy, Public Health Service, Coast and Geodetic Survey, and Coast Guard, all of them important agencies of the Government, with a capable personnel assigned to important duties, yet Congress gave approval to a plan whereby many in these services occupied Government-owned quarters and allowed to others for rent, fuel, and light not exceeding \$1,500. In other words, there are not sufficient Government quarters for officers in the allied services to which I have referred, and those who are not so fortunate as to be assigned to Government quarters are given a fixed allowance for rent, fuel, and light in a reasonable sum. I think this presents a parallel case to that to which the gentleman calls attention. I recognize that rental allowance in some foreign posts should be larger than at others, but Congress must be careful in giving approval to any unreasonable allowance for rent, fuel, and light to the officials in any service, because it sets a dangerous precedent, which will arise to trouble us when we come to provide for other important services which, under the law, are entitled to such allowances.

Mr. SHREVE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. BYRNS) the vote was 156 yeas and 62 noes.

Mr. BYRNS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 226, nays 108, answered "present" 2, not voting 92, as follows:

[Roll No. 22]  
YEAS—226

Ackerman	Denison	Johnston, Mo.	Reed, N. Y.
Adkins	De Priest	Jonas, N. C.	Reid, Ill.
Allen	Dickstein	Kearns	Robinson
Andresen	Doutrich	Kelly	Rogers
Andrew	Dowell	Kendall, Ky.	Sanders, N. Y.
Arentz	Dunbar	Kendall, Pa.	Schafer, Wis.
Bacharach	Dyer	Ketcham	Seger
Bachmann	Eaton, Colo.	Kiefner	Seiberling
Bacon	Eaton, N. J.	Kinzer	Selvig
Baird	Elliott	Knutson	Shaffer, Va.
Barbour	Ellis	Kopp	Short, Mo.
Beedy	Englebright	LaGuardia	Shott, W. Va.
Beers	Estep	Lambertson	Shreve
Blackburn	Evans, Calif.	Lankford, Va.	Simmons
Bloom	Fenn	Lea, Calif.	Simms
Bohn	Fish	Leavitt	Sloan
Bolton	Fitzgerald	Lehlbach	Smith, Idaho
Bowman	Fitzpatrick	Letts	Snell
Boylan	Fort	Linthicum	Snow
Brand, Ohio	Foss	Luce	Sparks
Briggs	Frear	McClintock, Ohio	Speaks
Brigham	Free	McCormack, Mass.	Sproul, Ill.
Britten	Freeman	McLaughlin	Stalker
Browne	French	McLeod	Stobbs
Brumm	Fulmer	Maas	Stone
Buckbee	Garber, Okla.	Magrady	Strong, Kans.
Burdick	Gasque	Manlove	Strong, Pa.
Cable	Gibson	Mapes	Summers, Wash.
Campbell, Iowa	Gifford	Martin	Swanson
Campbell, Pa.	Golder	Merritt	Swick
Carter, Calif.	Goodwin	Michener	Swing
Carter, Wyo.	Granfield	Miller	Thatcher
Chalmers	Guyer	Montague	Thompson
Chase	Hadley	Moore, Ohio	Thurston
Chindblom	Hale	Morgan	Tilson
Christgau	Hall, Ill.	Mouser	Tinkham
Christopherson	Hall, Ind.	Murphy	Treadway
Clague	Hall, N. Dak.	Nelson, Me.	Underhill
Clark, Md.	Halsey	Newhall	Vestal
Clarke, N. Y.	Hancock	Niedringhaus	Wainwright
Cochran, Pa.	Hardy	Nolan	Walker
Cole	Hartley	O'Connell, N. Y.	Watson
Colton	Haugen	O'Connor, N. Y.	Watres
Connolly	Hickey	O'Connor, Okla.	Watson
Cooke	Hoch	Owen	Welch, Calif.
Cooper, Ohio	Hoffman	Palmer	Welsh, Pa.
Cornling	Hogg	Parker	Whitley
Coyle	Holaday	Perkins	Wiglesworth
Craddock	Hooper	Pittenger	Williamson
Craff	Hope	Prall	Wolfenden
Cramton	Houston, Del.	Pratt, Harcourt J.	Wolverton, N. J.
Crowther	Hudson	Pratt, Ruth	Wolverton, W. Va.
Culkin	Hull, Morton D.	Purnell	Woodruff
Cullen	Hull, William E.	Ramey, Frank M.	Wurzbach
Dallinger	Jenkins	Ramseyer	Zihlman
Darrow	Johnson, Nebr.	Ransley	
Davenport	Johnson, S. Dak.	Reece	

NAYS—108

Allgood	Ayres	Brand, Ga.	Canfield
Almon	Bankhead	Browning	Cannon
Arnold	Bell	Buchanan	Cartwright
Aswell	Bland	Busby	Clark, N. C.
Auf der Helde	Box	Byrns	Cochran, Mo.

Collier	Glover	Lankford, Ga.	Quin
Collins	Goldsborough	Lozier	Ragon
Connery	Green	Ludlow	Ramspeck
Cox	Greenwood	McClintic, Okla.	Rankin
Crisp	Hall, Miss.	McKeown	Rayburn
Cross	Hare	McMillan	Romjue
Crosser	Hastings	McReynolds	Sanders, Tex.
Davis	Hill, Ala.	McSwain	Sandlin
DeKouen	Hill, Wash.	Mansfield	Schneider
Dominick	Huddleston	Milligan	Smith, W. Va.
Doughton	Hull, Tenn.	Montet	Stafford
Doxey	Hull, Wis.	Mooney	Summers, Tex.
Drane	Jeffers	Moore, Ky.	Tarver
Drewry	Johnson, Okla.	Moore, Va.	Tucker
Driver	Johnson, Tex.	Morehead	Vinson, Ga.
Edwards	Jones, Tex.	Nelson, Mo.	Warren
Eslick	Kading	O'Connell, R. I.	Whittington
Evans, Mont.	Kemp	Oldfield	Williams
Fisher	Kincheloe	Parks	Wilson
Gambrill	Kvale	Patman	Wingo
Garner	Lampert	Patterson	Woodrum
Garrett	Lanham	Peavy	Yon

ANSWERED "PRESENT"—2

Griffin Oliver, Ala.

NOT VOTING—92

Abernethy	Graham	Leech	Sirovich
Aldrich	Gregory	Lindsay	Somers, N. Y.
Beck	Hammer	McCormick, Ill.	Sparring
Black	Hawley	McDuffie	Sproul, Kans.
Brunner	Hess	McFadden	Stegall
Burtness	Hopkins	Mead	Stedman
Butler	Howard	Menges	Stevenson
Carley	Hudspeth	Michaelson	Sullivan, N. Y.
Celler	Igoe	Nelson, Wis.	Sullivan, Pa.
Clancy	Irwin	Norton	Taber
Cooper, Tenn.	James	O'Connor, La.	Taylor, Colo.
Cooper, Wis.	Johnson, Ill.	Oliver, N. Y.	Taylor, Tenn.
Curry	Johnson, Ind.	Palmisano	Temple
Dempsey	Johnson, Wash.	Porter	Timberlake
Dickinson	Kahn	Pou	Turpin
Douglas, Ariz.	Kerr	Pritchard	Underwood
Douglas, Mass.	Kless	Quayle	Vincent, Mich.
Doyle	Korell	Rainey, Henry T.	White
Esterly	Kunz	Rowbottom	Whitehead
Finley	Kurtz	Rutherford	Wood
Fuller	Langley	Sabath	Wright
Garber, Va.	Larsen	Sears	Wyant
Gavagan	Lee, Tex.	Sinclair	Yates

So the conference report was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Kless (for) with Mr. Rutherford (against).  
 Mr. Yates (for) with Mr. Kerr (against).  
 Mr. Wyant (for) with Mr. Stedman (against).  
 Mr. Aldrich (for) with Mr. McDuffie (against).  
 Mr. McFadden (for) with Mr. Stegall (against).  
 Mr. Graham (for) with Mr. Cooper of Tennessee (against).  
 Mr. Michaelson (for) with Mr. Henry T. Rainey (against).  
 Mr. Temple (for) with Mr. Wright (against).  
 Mr. Clancy (for) with Mr. Stevenson (against).  
 Mr. Hawley (for) with Mr. Larsen (against).  
 Mr. Hopkins (for) with Mrs. Norton (against).  
 Mr. Johnson of Indiana (for) with Mr. Pou (against).  
 Mr. Kurtz (for) with Mr. Howard (against).  
 Mr. Wood (for) with Mr. Hammer (against).  
 Mr. Johnson of Washington (for) with Mr. Abernethy (against).

General pairs until further notice:

Mr. Porter with Mr. Douglas of Arizona.  
 Mr. Dempsey with Mr. Sullivan of New York.  
 Mr. Sullivan of Pennsylvania with Mr. Lee of Texas.  
 Mr. Timberlake with Mr. O'Connor of Louisiana.  
 Mr. Johnson of Illinois with Mr. Somers of New York.  
 Mrs. Langley with Mr. Doyle.  
 Mr. Vincent of Michigan with Mr. Black.  
 Mr. Sinclair with Mr. Sparring.  
 Mr. Menges with Mr. Brunner.  
 Mr. Garber of Virginia with Mr. Taylor of Colorado.  
 Mr. Irwin with Mr. Quayle.  
 Mr. Leech with Mr. Igoe.  
 Mr. Beck with Mr. Mead.  
 Mr. James with Mr. Underwood.  
 Mrs. McCormick of Illinois with Mr. Carley.  
 Mr. White with Mr. Kunz.  
 Mr. Taber with Mr. Lindsay.  
 Mr. Nelson of Wisconsin with Mr. Whitehead.  
 Mr. Taylor of Tennessee with Mr. Oliver of New York.  
 Mr. Dickinson with Mr. Douglass of Massachusetts.  
 Mr. Butler with Mr. Gavagan.  
 Mrs. Kahn with Mr. Sabath.  
 Mr. Cooper of Wisconsin with Mr. Fuller.  
 Mr. Sears with Mr. Sirovich.  
 Mr. Esterly with Mr. Gregory.  
 Mr. Curry with Mr. Hudspeth.  
 Mr. Rowbottom with Mr. Palmisano.

Mr. HOWARD. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. HOWARD. Mr. Speaker, I was just outside the door.

The SPEAKER. The gentleman does not qualify.

Mr. GARBER of Virginia. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. GARBER of Virginia. I was not present.

The SPEAKER. The gentleman does not qualify.

Mr. O'CONNELL of New York. Mr. Speaker, I announce the necessary absence of the gentlewoman from New Jersey, Mrs. NORTON. If she were here, she would vote "no."

The result of the vote was announced as above recorded.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed, without amendment, bills of the House of the following titles:

H. R. 9442. An act to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes; and

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2605. An act to amend section 9 of the Federal reserve act to permit State member banks of the Federal reserve system to establish or retain branches in foreign countries or in dependencies or insular possessions of the United States.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9546) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes."

#### WORLD WAR VETERANS

Mr. PURNELL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 205) providing for the consideration of H. R. 10381, a bill to amend the World War veterans' act, 1924, as amended.

The SPEAKER. The gentleman from Indiana offers a resolution, which the Clerk will report.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10381, a bill to amend the World War veterans' act, 1924, as amended. That after general debate, which shall be confined to the bill and shall continue not to exceed 12 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on World War Veterans' Legislation, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. PURNELL. Mr. Speaker, ladies and gentlemen of the House, this resolution, reported by the Committee on Rules, will make in order, if adopted, the bill H. R. 10381, the purpose of which is to amend the World War veterans' act of 1924, as amended. I shall not attempt, in presenting the rule to the House, to enter into a discussion of the various items contained in the bill. Its provisions are very generally known to the membership of the House, as are the amendments which will be offered at the proper time, after the bill is taken up for consideration under the 5-minute rule.

I want to say, more or less in retrospect, that my mind goes back to another April day, almost exactly 13 years ago, when in this very Chamber at a late hour of night, many of us who are here to-day voted for the declaration of war. When we voted for that declaration of war on April 6, 1917, I am not sure that all of us fully realized the serious consequences that were to follow nor the vast responsibilities that would be heaped upon the individual Members of Congress, as well as the citizens of the United States. I do believe, however, that many of us, in voting for the declaration of war, realized that we were sending thousands of American soldiers upon that last great adventure and that the Nation would forever thereafter owe a debt of gratitude to the survivors, particularly those who were injured, that could never be paid in dollars and cents.

We were also familiar with our history; at least to the extent of knowing that one of the fundamental policies of our Government has been to take care of the disabled and treat with the utmost liberality their dependents.

The war having been brought to a successful conclusion, our next thought was of those who had borne the brunt of the conflict. In accordance with our established policy, as well as our own personal desires, we set about to enact legislation in the interest of the survivors of that war, particularly the dis-

abled and the dependents of those who had made the supreme sacrifice.

In this connection I wish to remind you that having emerged from the World War, which was the greatest war in all history, we had no lamp by which to guide our action in this effort. There were no precedents to be followed. We struck out blindly in the dark, with a determined purpose to do everything humanly possible and proper for the survivors of that struggle as well as for their dependents. Without precedent, without experience, and without any established rule to guide us we drafted the original World War veterans' act.

I grant you that if we had had foresight, had been experienced, and could have looked into the future and guided our steps by our past history, plus our new experiences, we might have written into law an act that would have served for all time. Unfortunately, as many of you know, we were unable to do that. So we groped in the dark and did our best to pass some intelligent and helpful legislation, legislation that would not only be fair to the survivors of the war but would be equally fair to the Nation itself.

We had a lot of things to contend with. At one time we had four armies in the field. We had the Regulars, the Reserves, the Emergency men, and the National Guard. Some of our soldiers fought in Russia long after the close of the war. Another small army was detained in Germany in the army of occupation long after the signing of the armistice in 1918.

We have amended the World War veterans' act every single year since it was adopted, if I remember correctly, giving each time renewed evidence of our sincere solicitude for the men and women who served in the Great War. And here we are to-day, almost exactly 13 years to the day from the date of the declaration of war, and we still must stand before the country, as the highest legislative body in all the world, and admit that our present law, though it has been amended each year since it was adopted, is still filled with inconsistencies and injustices and needs further amendment. Injustices have developed from day to day as we have met new conditions, while technical obstacles and frequent discrimination have seemed to defeat in many instances the very purposes for which the legislation was enacted.

The bill which this resolution will make in order has for its prime purpose the removal of technical obstacles and the wiping out of the discrimination which all admit exists in the present law. It is far-reaching and has in it a widespread interest. It is of greatest interest, of course, to the soldiers themselves and their dependents. We must not lose sight of that group. It is not only our sincere desire but our duty to do full justice by them. Then there is another group. The Nation itself likewise has a deep interest in this proposed legislation. Then there are a lot of us in this House, many of whom I see on the floor to-day, who have a further interest. There are a lot of us who sat in this Chamber on the night of April 6, 1917, in the most solemn session ever held in it, and who as the roll was called voted for a declaration of war, knowing that these things at which I have hinted would follow. We feel a personal responsibility by reason of the fact that it was through our affirmative action that our Government selected throughout the length and breadth of this Nation the flower of American manhood and sent them to European soil to carry and defend the American flag.

I shall not undertake to suggest at this time the many changes proposed in this bill. But knowing our common experiences with these so-called "border-line" cases particularly, I want to say that if this proposed legislation is adopted and serves no other purpose except to relieve the great proportion of these "border-line" cases, it will have served a most useful and patriotic purpose. If this bill is finally enacted into law, I predict it will still contain many, many inequalities and injustices which future Congresses will be called upon to correct.

Realizing the importance of this question, the tremendous number interested, and the divergent views held by Members on both sides of this House and throughout the country, the Rules Committee, very wisely, I think, has brought in this resolution providing for 12 hours' debate. Certainly a liberal amount of time has been allotted in which this matter may be discussed in detail by all who wish to speak.

I sincerely hope the resolution will be adopted and that we may proceed with the debate provided for by the rule. [Applause.]

Mr. Speaker, I yield 30 minutes to the gentleman from North Carolina [Mr. POW].

Mr. POW. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, ladies and gentlemen of the House, I do not know that I can add anything of value to the



excellent statement just concluded by the gentleman from Indiana [Mr. PURNELL] with reference to the general purposes had in mind by the Rules Committee in reporting this resolution.

I dare say there has been no question presented for the consideration of the House of Representatives in several years that held a more profound human interest for the Members of the House of Representatives, as well as those who are affected by the proposed legislation, than the bill which will soon be brought up for consideration.

The state of my heart this day is entirely in accord with the sentiment expressed by the gentleman from Indiana, when our memory returns to that fateful period of our history some 13 years ago, when, by the deliberate act of the Congress of the United States and the Chief Executive of the Nation, we called upon the young manhood of America to mobilize its strength, its limb, and its life for the preservation of American institutions. Under the universal draft law, which I think was very providently enacted, we called upon young men from every section of America, in the very prime, vigor, and flower of their strength and manhood, to make the necessary sacrifices for a victorious conclusion of that war. The heroism with which they followed all of the honored traditions of our country are matters of history.

As has been suggested, the duty has devolved upon the Congress of the United States in the succeeding years to pass legislation that would in some measure compensate them for the sacrifice of time and health that they endured in the cause of our country.

The progress of that legislation has necessarily been in the nature of an evolution to meet the various necessities as they arose. It has been progressive in its nature in order that we might try to meet the just claims of every man as they arose by reason of the advancing years that fell upon them. I do not think that the veterans themselves or the veteran organizations have much complaint to make with reference to the legislation we have enacted for their benefit, except in connection with the main question involved in this proposed legislation. I think my experience in handling the cases of disabled veterans has been along the same line as those met by every other Member of this House. In the handling of these cases I have come face to face with the proposition that either no adequate law had been enacted for the protection of disabled men and their dependents or that in its administration the real spirit and purpose of the Congress of the United States had not been carried into effect. In my opinion—and I think this criticism is justified—the medical branch of the Veterans' Bureau has been entirely too technical and too legalistic in its consideration of the benefits bestowed upon disabled ex-service men by the laws we have enacted. [Applause.] I have had case after case come to my office, as you have, where, to the mind of a layman merely seeking to do abstract justice between the Government of the United States and men who had been stricken in mind or body as the result of the service, I was convinced, as any reasonable jury in the country would be convinced, of the justice of the man's claim and of the proof of service connection for the disability, but where such claims have been turned down by the Veterans' Bureau upon these technical constructions of the law. The burden of proof in all cases has been laid on the disabled man, instead of giving him the benefit of the doubt.

Men have come to my office when I have been at home on vacation and related to me the circumstances and the origin of their disabilities. Many of them in the relation of their experiences have gone back to those turbulent and trying times after the war was over, after they had endured the hardships of the camp and the rigors of the march and the dangers of the battle field; stricken in mind and body with the anxiety and nervousness that naturally attends military service. They themselves were conscious they had some physical infirmity that they feared would progress and make them lose their strength and their earning capacity; but they had been long away from home, they were homesick for the old fireside, they were craving the embrace of the arms of their loved ones when they got back home, and they were not thinking about compensation. They were not thinking about pensions. They were not thinking of disabilities on their discharge from the service. They were thinking about putting behind them all the cruel and bitter memories of the war and getting back to the hearthstones from which they had been drawn by the strong arm of the Federal Government; and many of them went up to the officers who were discharging them from the service and deliberately said there was nothing wrong with them, when they had in their bodies the germs of disability and of disease which subsequently have stricken many of them and sent them to hospitals. And for these reasons such men have been unable to prove their disability by the records and have been denied compensation.

There is another factor that has entered into this proposition—the inadequacy of the hospital records in connection with the disabilities of many of our men. Then, I have had cases where the evidence was presented in a file where Government doctors themselves—public-health officers in the county seats of my district, physicians in Government hospitals where men had been sent for observation with reference particularly to arrested tuberculosis—certified in writing that the man himself had been diagnosed as having tuberculosis, and yet the Veterans' Bureau has turned down his claim because of their technical construction of this law.

I have four cases in my office to-day where Veterans' Bureau doctors and hospital doctors have certified that these men had chronic pulmonary tuberculosis at the time of their examination, and yet they had been turned down by the bureau because they said there was no proof they had active tuberculosis prior to January 1, 1925. How a man can have chronic illness without it ever having been active is beyond my understanding. Your files are filled with cases of this sort.

Gentlemen, I say that the veterans of the World War have a right to make just complaint that the Congress has not met its obligations to them as far as remedial legislation for disabled veterans is concerned, and I rejoiced that as a member of the Committee on Rules the opportunity was offered me to promote the consideration of this bill, because I feel that every Representative upon this floor realizes that it is not a question of any maudlin sentimentality with reference to the ex-service men, but that we will soon have a full and a fair opportunity to administer abstract justice to them, and that alone is what they are seeking. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. POULSEN. Mr. Speaker, I yield the gentleman five minutes more.

Mr. RANKIN. Will the gentleman from Alabama yield?

Mr. BANKHEAD. I yield for a brief question.

Mr. RANKIN. I agree with the gentleman from Alabama with reference to the men having tuberculosis and the other veterans who have broken down and can not prove service connection with reference to their disabilities; but if this bill passes without the amendment which we expect to offer, those who broke down after 1925 would be excluded from its provisions. I just want to know if the gentleman from Alabama, when he speaks of the bill bringing full and adequate relief, has in mind the adoption of the amendment to which I have referred?

Mr. BANKHEAD. I will say to my friend from Mississippi, in reply to his question, that the Committee on Rules has thrown this proposition entirely open for full and fair consideration and judgment and action by the House of Representatives, and I think properly so, because of a very pronounced difference of opinion with reference to the question of the period of the extension of presumption of service connection. I will say to the gentleman that my remarks were addressed with reference to the opportunity that was being given here for the exercise of the collective judgment of the House upon the questions involved; but if the gentleman interrogates me directly upon the proposition with reference to his amendment or the proposed Johnson bill, I will state to the gentleman that my expectation is to vote for the provisions of the Rankin bill because I think it is more generous in its terms than the other. [Applause.]

This may not be in conformity with the best argument involved on this question. If I should be convinced during the course of this debate that my present conviction with reference to the propriety of the Rankin amendment is wrong, I would not hesitate for a moment to change my opinion before the debate closes and vote to sustain the provisions of the Johnson bill.

I think this is the spirit, gentlemen, in which we should enter upon this argument. [Applause.] I think we should hear the facts; that we should hear the arguments and look solely to the best interests and the fair interests of the service men and of the Government, and when the time comes to register our deliberate judgment upon the question involved, follow the dictates of our judgment and our conscience upon the merits of the proposed legislation, and this course I shall pursue. [Applause.]

From what I have heard them say, the ex-service men who came out of the war safe and sound and who have no physical handicaps as a result of their service, are not asking any favors from the Government. They were patriotic men who served their Government as a matter of duty in time of war, as their fathers before them had done. But, while asking nothing for themselves they are deeply and rightly interested in seeing that their comrades who did suffer in body and mind as a result of service shall have fair and just treatment at the hands of Congress.



The bill now before us gives us an opportunity to meet that duty. I am earnestly in favor of the principles involved in this legislation. We have already delayed it too long.

I have always consistently supported every measure proposed to protect justly the interests of the veterans of the World War. As long as I am in Congress I shall continue to do so.

If the pending bill is passed it will extend the benefits of compensation to every disability incurred between the date of the veteran's entrance into the military service and January 1, 1925, if within that time a 10 per cent degree of disability was manifested and unless there is in the record clear and convincing evidence that the condition is not due directly to some intervening cause not associated with military life. If the Rankin amendment is adopted it will extend the presumption of the connection of disability with military service until January 1, 1930, but does not cover all clauses of disability as does the Johnson bill. Another good feature of the bill is that it provides that where a veteran is sick and needs hospital treatment and has not been able to obtain compensation, if the veteran has a dependent family and there is established an actual family need of financial relief while the veteran is being treated in a Government hospital the Government will afford such relief to the dependents while the veteran is being treated, at the rate of \$30 per month for the wife, and \$6 per month for each child. There are other features of the bill liberalizing the consideration of the claims of veterans which are highly desirable.

Mr. POU. Mr. Speaker and gentlemen, I wish to supplement what my colleague has so well said with just a few words. We have all had experience with the Veterans' Bureau. There are two ways a law can be construed. One is the technical way, confining decisions simply to the wording of the law, and the other is in a broader sense, having in view the doing of justice in each and every case.

Now, I have always insisted it was the purpose of Congress that as far as possible the law should be construed in the interest of the veterans. [Applause.] I have insisted that doubts should be resolved in favor of the honorably discharged veteran.

I want to record the statement here and now as we are about to take up the consideration of another great measure that I believe it is now the sense of this body—and I do not think I am mistaken—that where substantial justice will be done, every doubt should be resolved in favor of the veterans. The people of America do not desire their Government to take refuge behind technicalities in dealing with the men who brought Germany to her knees. [Applause.]

Now, if I am mistaken, I hope it will be developed during this debate, and I hope the Veterans' Bureau will take notice that it is the sentiment of this House that the bill under consideration should be liberally construed, humanely construed; that technicalities should not be permitted to defeat manifest justice; that when the former service man makes application for what we intend he shall have, he shall not be treated as if he were trying to defraud the Government. Let it be understood that where a strict construction of the law results in a denial of manifest justice, it is the purpose of Congress that the law should be liberally construed, and particularly that doubts should be resolved in favor of the veteran. [Applause.]

Mr. PURNELL. Does the gentleman from North Carolina desire any more time?

Mr. POU. I do not.

Mr. BANKHEAD. Will not the gentleman from Indiana, before he moves the previous question, allow me to suggest that he ask unanimous consent that Members may have time to extend their remarks?

Mr. PURNELL. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days after the conclusion of the bill in which to extend their remarks on this bill.

The SPEAKER pro tempore (Mr. DALLINGER). The gentleman from Indiana asks unanimous consent that all Members may have five legislative days after the passage of the bill to extend their remarks on the bill in the RECORD. Is there objection?

There was no objection.

Mr. PURNELL. Mr. Speaker, I move the previous question. The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10381) to amend the World War veterans' act of 1924, as amended.

The motion was agreed to.

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Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. MAPES in the chair.

The Clerk read the title of the bill.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, ladies and gentlemen of the House, I shall attempt to discuss this bill somewhat in detail, and to answer any questions that may be asked me by any Member of the House as to the bill or as to the construction placed upon it by the committee or by myself. But I desire to proceed consecutively in the opening statement, and therefore until I finish I request that no one ask me to yield. Later I shall be glad to yield for questions.

This is the first time since the World War that veteran legislation has in its entirety been considered upon the floor of the House with full liberty to make amendments to the legislation.

Under the rule which has been adopted and proposed by the Rules Committee, when we consider the bill under the 5-minute rule any Member of this body will have the privilege of offering any amendment that he desires to offer, which is germane to the legislation as reported from the Committee on World War Veterans' Legislation. There have been many reasons for the previous method of presenting this legislation, although I have not always been in favor of taking the legislation up under suspension of the rules; but there comes a time when great public policies are being formulated, when this body and the Senate must decide a governmental policy, and I think that that time has now arrived, and that the membership of this House must express itself upon the future policy that shall be followed with reference to service men. I know what this method offers. I know that it would be possible for Members of this body if they so desired to use memorial addresses and Fourth of July speeches to discuss many things that are not under consideration. I do not think anyone would desire to verbally take the membership of this body or the service men back to the Argonne Forest and allow them to again wade knee-deep in blood, and I do not think it is necessary in discussing this great economic problem that anyone weep briny tears. Nor do I think it necessary for anyone to demagogue upon the bill. I know that no one would do that in a discussion affecting important legislation.

The effect of the bill has been well set out in the report, No. 874, dated March 10, 1930, and, Mr. Chairman, I ask unanimous consent to be permitted to extend my remarks in the RECORD by including that report and other documents which I think will be of benefit to the House in the discussion of the legislation.

The CHAIRMAN. Is there objection?

Mr. RANKIN. Mr. Chairman, reserving the right to object, does the gentleman mean to include both the minority and the majority reports?

Mr. JOHNSON of South Dakota. They may be both inserted. Does the gentleman from Mississippi desire to have the minority report inserted in my remarks?

Mr. RANKIN. Yes; I think the two reports should be inserted together.

Mr. JOHNSON of South Dakota. I have no objection to that; I believe they should be put in together. I believe we should have all of the information collected in one place, as much as possible.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that in the extension of his remarks he may be permitted to incorporate the majority and minority reports of the committee and other documents in his discussion. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, these reports I insert at this point, and they are as follows:

[H. Rept. No. 874, 71st Cong., 2d sess.]

AMEND WORLD WAR VETERANS' ACT, 1924

Mr. LUCE, from the Committee on World War Veterans' Legislation, submitted the following report (to accompany H. R. 10381):

The Committee on World War Veterans' Legislation, to which was referred the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, having had the same under consideration, report it back to the House with the recommendation that the bill do pass.

In general this bill conforms to the legislative program of the American Legion, which as far as it went was indorsed by other organizations



of veterans. It grants important additional benefits, and it cures sundry administrative defects that experience has disclosed.

Various proposals of wide range looking to the further relief of veterans of the World War have been submitted to your committee. The most important of them have sprung from the difficulty in connecting with service many cases thought to be of service origin or aggravation, but incapable of meeting existing requirements, especially those calling for medical proof that disability had appeared prior to the date specified by the law. Immediately after the war an early date was set, inasmuch as it was thought that a brief time would suffice to disclose injurious effects of service. In 1924 the time limit for connecting with service five specified types of disease was extended to January 1, 1925, connection to be presumed if the disease had appeared in the interval. All other disease must still have manifested itself before July 2, 1921, and as time passed the proof of this became more and more difficult.

It developed that in many cases service connection could not be established because of lack of medical record at the time of treatment. It seemed altogether probable that this was often not the fault of the sufferer, but was due to the inexact recording inevitable under war conditions, to loss of records, or to some other excusable cause. Your committee became convinced that in these and some other particulars the technical requirements in the matter of proof have been too strict, and that reasonable evidence of any sort should suffice.

Believing the time had come to go still further in removing technical obstacles and wiping out discriminations, your committee decided to recommend important modification of section 200 of the World War veterans' act—the section dealing with service connection of disabilities incurred or aggravated in the course of military service. As amended this section will extend the benefits of compensation to every disability incurred between the date of the veteran's entrance into the military service and January 1, 1925, if within that time a 10 per cent degree of disability was manifested, and unless there is in the record clear and convincing evidence that the condition is due directly to some intervening cause not in any way associated with military life.

The justification for this is to be found in the disclosure by the testimony that there exists discrimination in favor of sufferers from certain specific diseases, notably tuberculosis and ailments of the nervous system, whereas many other veterans just as disabled or even worse off, whose service records bear witness to honorable and extensive exposure to the hardships of warfare, have been unable to obtain any of the benefits granted by the Government. To put an end to this discrimination may be costly, but it will be just.

As far as the principle of compensation for bodily harm resulting from war service is concerned, this will clean up practically all difficulties and differences of opinion as to disease and injury shown to have been suffered before January 1, 1925, and will meet the great bulk of so-called border-line cases that have seriously disturbed Members of Congress and the public at large.

There remained the problem of disease developing or injury sustained after January 1, 1925. The question at issue was whether and to what extent such disease or injury should be presumed to be of service origin. This question was raised most prominently by H. R. 7825, which was introduced by Representative RANKIN, of Mississippi. In this it was proposed that the time limit on presumptions should be extended to January 1, 1930, and that diseases of a chronic or constitutional nature other than those already named in the law should be included in the privilege of presumption. It will be seen that this proposal did not contemplate the far-reaching and very important benefits the committee advises giving in the case of disabilities developing before January 1, 1925, and that it did contemplate a continuance of classification under which some suffering veterans would benefit and others would not. For instance, it did contemplate that a man attacked with gout in 1929 would be presumed to have incurred it as a result of something that took place before July 2, 1921, but shut out the man attacked by pneumonia, even though it might be urged that he fell as easy prey to it because his powers of resistance had been weakened by poison gas in the war.

This illustration is not presented to suggest that all disease appearing from 1925 to 1930 should be presumed to be of service origin, but to show that any classification may result in gross unfairness. As a matter of fact the medical testimony given to your committee was to the effect that it is not logical in the case of any disease whatever to presume that its origin goes back more than from one to two years beyond the appearance of symptoms. In extending the limit of the presumptive period to January 1, 1925, which was more than six years after the armistice, Congress in its desire to be completely generous and to avoid all risk of error went far beyond anything that the medical experts appearing before your committee would justify as logical. Any further extension would, if their judgment as to the development of disease is sound, be a pure fiction, wholly artificial, with the names "presumption" and "compensation" altogether inaccurate and misleading.

The proper description of money paid out under such a provision would be "disability pension" and as such it may fairly be examined.

The proposal was that the payments to sufferers from chronic constitutional disease—including the six diseases that the law had already recognized as warranting special consideration of a designated type—should be the same as those now provided by law for service-connected cases. The amount payable for temporary total disability at present ranges from \$80 a month upward, depending upon the number of dependents of the veteran. In addition, the present cost of hospitalization approximates \$120 a month and there is likewise provision for an additional allowance in certain cases for a nurse or attendant care in the amount of \$50 a month. In case permanent and total disability exists by reason of a condition either directly or presumptively connected with service, and if at such time war-risk insurance is in effect, payments under such policy become payable to the disabled veteran out of the military and naval insurance fund authorized by the Government.

It follows that if the Rankin bill, so called, were enacted, a claimant might have entered the military service nearly three years after the armistice, up to July 1, 1921, and after serving but a short time, be discharged without any defect noted or claimed and with absolutely no medical record of any treatment in the course of service. He might have returned to industrial life and carried on continuously until December 31, 1929. If on that date he were found to have a 10 per cent degree of disability by reason of gout, service connection could be established, with compensation payments and the other benefits above referred to legally obtainable in amounts depending upon the degree of severity of the disease. If such service man had a wife and three children and were temporarily totally disabled, his compensation for himself and dependents would be \$105. If he also received hospitalization the monthly charge on the Government for him would be \$225. In other words, such a claimant, who saw no service in the war, would receive a pension of \$225 a month for a disability no reasonable man would hold to be service-connected, a disability developing 10 years after the World War.

This would, of course, be nothing more nor less than a disability pension. As such it might or might not be justifiable. The aspect of it here to be pointed out is that if and when disability pensions are to be considered, they should not have the glaring inequalities of such an initial step. The man with the gout should not be preferred while the man who through some industrial accident may have wholly lost his capacity to support himself and his family, is excluded.

The comparison is extreme, but it shows the danger of embarking on the policy of disability pensions without the careful study necessary to secure fair and reasonable treatment of all veterans of the war. Pensions and compensation are quite different things. Your committee was unwilling to commit the Government to pensions on the basis of the compensation rates now in existence.

Furthermore, it was not convinced that the situation calls for resorting to the makeshift device of artificial presumptions. No medical testimony presented to the committee lent any support to the theory that time extension of the presumptive features of existing law would be sound. Many cases of apparent hardship indicating otherwise were presented, but after discussion it was admitted in all instances that if the facts were as alleged, direct service connection would be in order and there would be no need to resort to any presumption, even such as now contained in the law.

If it is true that no medical ground exists for presumptions based on the appearance of disability after January 1, 1925, and if nevertheless they should be created by legal fiction, the validity of any time limit can not be established. To set January 1, 1930, as the date would meet the troubles arising up to that time from those diseases specified in the Rankin bill, but while the rest would remain to perplex by reason of the unfair discrimination, a fresh growth of perplexities would begin with the date in question, and inside of a few years their accumulation would bring demand that the date be set forward once again. Rather than invite this by continuing an illogical and unsatisfactory procedure, your committee deemed it best to try to correct all existing discriminations, establishing for every veteran equality before the law; to add such benefits as experience has shown to be justifiable; and to leave to a special congressional committee the question of formulating within the three years to which the operation of section 200 of the bill submitted herewith is limited, a consistent national policy.

The additional benefits to be given will be set forth in the detailed description of the bill that follows, but especial attention may here be usefully called to two of particular interest. One is the provision for paying an additional amount of \$25 a month to certain veterans whose disabilities were incurred in line of duty between April 6, 1917, and November 11, 1918. Although this is in reality a specific preferment of one class over another, yet your committee is of the opinion that such preferment is warranted as a special recognition of the irreparable physical loss suffered in battle by the men affected—those known as battle casualties.

Secondly, your committee, knowing that there would be many ill veterans who still might not be able to obtain compensation or relief in spite of the broadening provisions of the amendment proposed, felt



that such veterans should be granted some measure of pecuniary aid when illness forces them to give up their work and seek treatment in a Government hospital under the authority of the bureau. Therefore there will be found in the bill a provision to the effect that if the veteran has a dependent family, and if there is established an actual family need of financial relief, the Government will afford such relief to the dependents while the breadwinner is away seeking cure of his physical disabilities. The rates provided are the same as those now granted to widows and children of men who died in battle, viz:

If there is a widow but not child, \$30.

If there is a widow and one child, \$40, with \$6 for each additional child.

If there is a widow but no child, \$30.

If there is no widow, but there are three children, \$40, with \$5 for each additional child; payments to be continued for two months after the veteran's discharge from the hospital. It was felt, however, that unless a period of more than 30 days of hospitalization was necessary, a definite need could not be clearly established and therefore such relief is not to become payable until the first 30 days of hospitalization have passed.

A detailed description of the bill follows:

#### DESCRIPTION BY SECTIONS

Section 1 amends section 5 by making the decisions of the director affecting a claimant's right to the benefits of Titles II, III, or IV of the act conclusive except for a review by the courts under section 19 of the act. The Comptroller General of the United States is directed to allow credit in the accounts of disbursing officers of the United States Veterans' Bureau for all payments authorized heretofore or hereafter made from moneys appropriated for carrying out the provisions of the act. This provision has for its purpose conferring on the director, or his duly authorized representatives, final and conclusive authority in all matters except for a review of claims for insurance by the courts as is provided in section 19 of the act, and the penalty provisions of Title V of the act. The effect of this amendment will be to prohibit the Comptroller General, or his agents, from disallowing payments upon disagreement with the director on matters of law or fact involved in the interpretation or application of the World War veterans' act, 1924, as amended, but will not interfere, upon a preaudit or postaudit, with the right of the Comptroller General to disallow expenditures by disbursing officers not in conformity with the decisions of the director. It is intended that under this amendment the director shall have the power to review any decision of the Comptroller General heretofore rendered and notwithstanding such decision to pay the claim or claims affected thereby if he believes them to be payable.

This section also amends section 5 by adding thereto a proviso to the effect that regulations issued under section 5 relating to the nature and extent of proof and evidence shall provide that due regard shall be given to lay and other evidence not of a medical nature. Testimony before the committee shows that in adjudicating cases the bureau heretofore has been largely governed by medical theory and medical evidence of a technical nature. The purpose of this amendment is to insure that in the adjudication of cases all evidence will be considered and that such consideration will be from the same viewpoint that a court would take in considering like evidence, and to prevent as much as possible the disallowance of claims where the evidence of physicians is not sufficient to connect the disability with the service, or to show the required degree of disability, or that the person is permanently and totally disabled, etc., but competent lay evidence exists which, if properly considered, would warrant favorable action on the claim. It is realized that under the present law the bureau can undoubtedly give the proper weight to this evidence, but by adopting this amendment it is believed that any question in the mind of the Director of the United States Veterans' Bureau concerning the desires of Congress in the premises will be cleared up. While the committee does not desire to interfere with the director's discretion in administering the law it is believed advisable to point out the desirability of having cases decided by lawyers trained to evaluate evidence, who will take into consideration medical advice, rather than by physicians untrained in evaluating evidence and who are governed entirely by medical theory.

Section 2 amends section 10 of the statute by adding thereto a paragraph authorizing the director to secure such recreational facilities, supplies, and equipment for the use of patients in hospitals and for employees at isolated stations, as he may deem necessary, and the appropriations made available for the carrying out of the present provisions of section 10, which relate to the furnishing of medical and hospital treatment, are authorized to be expended for this purpose. The bureau is authorized under existing legislation to provide recreational facilities for patients in hospitals, but has no authority to provide such facilities for employees. Many of the employees are stationed at isolated places, so far removed from facilities provided by municipalities or clubs that it is practically impossible for them to avail themselves thereof. The committee, therefore, believes that the director should be authorized to provide facilities as part of the hospital reservation where they are needed. Funds for the construction will be taken care of in making estimates on future hospital construction programs.

This section also amends section 10 by authorizing and directing the transfer of the Battle Mountain Sanitarium and the Battle Mountain Sanitarium Reserve from the jurisdiction of the Board of Managers of the National Home for Disabled Volunteer Soldiers to the United States Veterans' Bureau. Provision is made, if necessary, for the deeding of this property by the Board of Managers of the National Home for Disabled Volunteer Soldiers to the United States.

Section 3 amends section 16 of the World War veterans' act, as amended, for the purpose of specifically authorizing the refund of premiums on war-risk term insurance. The bureau has always, whenever a retroactive rating of permanent and total disability has been made as of a date prior to the time when the insured ceased the payment of premiums, refunded such premiums. This practice is in accord with that of all commercial insurance companies. However, in the Harvey Ned Howard case the Comptroller General (decisions of November 9, 1928, and January 7, 1929) stated that the appropriations for yearly renewable term insurance were not available for the refund of premiums. Your committee thought that the bureau's practice was in accord with the existing law, but in order to overcome the decisions of the Comptroller General and to insure expedited action on the refund of such premiums the authorization is included in this bill.

Section 4 amends section 19 of the World War veterans' act, 1924, as amended, which relates to the filing of suits on insurance, in several respects:

(1) Authorizes the courts to include as part of judgments entered under that section direction for the refund of unearned premiums.

(2) Authorizes the issuance of subpoenas for witnesses who are required to attend trials and who live at a greater distance than 100 miles from the place where the case is to be tried. This provision is extremely important from the point of view of both the veteran and the Government, as under existing law it is necessary that the testimony of such witnesses be taken by depositions, which is highly unsatisfactory.

(3) Authorizes the director to order part-time and fee-basis employees of the bureau to appear as witnesses in suits against the Government under this section and to pay them in his discretion a fee in an amount not to exceed \$20 a day.

(4) Authorizes the payment of regular travel and subsistence allowances to attorneys of the bureau when assigned to assist at the trials of cases, and to employees of the bureau when ordered in writing by the director to appear as witnesses.

(5) Authorizes official leave for bureau employees subpoenaed to attend trials as witnesses for veteran plaintiffs in suits under this section. At the present time these employees are required, in answering subpoenas, to take the time on annual leave. This is a hardship of which the committee believes they should be relieved.

(6) Extends the time for bringing suits on insurance claims for one year from the date of the approval of this amendatory act.

(7) A paragraph is added to define the meaning of the term "claim" and the term "disagreement" as used therein. It has for its purpose the establishment of a definite rule that before suit is brought a claimant must make a claim for insurance and prosecute his case on appeal through the appellate agencies of the bureau before he shall have the right to enter suit. Your committee felt that in view of the fact that the Government has set up in the bureau expensive machinery for hearing claims it was unfair for a veteran to disregard this machinery on the basis of the disallowance of his claim by some subordinate board and enter suit.

(8) A savings clause was added at the end to protect the suits already brought, from adverse effect by any amendment included in this section.

The committee's attention was called to the large number of suits now pending in the courts. After listening to the representatives of service organizations and many Members of Congress it came to the conclusion that the bureau has adopted too strict a definition for permanent and total disability and that in the application of such definition it has not been as liberal as it should be. This is reflected in the criticisms by the many courts that have heard these cases and undoubtedly is the cause for many of these suits. The committee was also advised that in connection with these suits, recommendations have been made in many instances by United States attorneys that the claims be paid without proceeding to trial and the Assistant Attorney General in charge of these cases and the general counsel of the bureau have concurred in such recommendations, but, notwithstanding such recommendations, the bureau has disallowed the cases. It seems to your committee only reasonable that where the attorneys representing the Government are performing their duties properly and advise that a case can not be defended, the claim should be allowed instead of forcing the claimant to the expense of a trial and needlessly to take up the time of the court because of some theoretical idea of a rating agency of the bureau that is largely governed by medical theory. From the statements made, it is believed that if the bureau would adjudicate these cases from a legal point of view as they are considered by the courts, a more equitable adjudication would result, there would be less com-



plaint on the part of the courts, the United States attorneys, the claimants and their representatives, and there would be fewer suits.

Section 5 adds a subdivision to section 21 to place authority in the director to pay compensation to the person having custody and control of an incompetent or minor beneficiary during the time compensation payments to a guardian may be suspended or withheld under section 21 of the statute as it now stands. At the present time, when the director suspends payments to a guardian, there is no authority to pay any compensation unless the veteran is in a hospital, in which case all or any part of the compensation may be apportioned to his dependents, if any, and also to the medical officer in charge of the hospital for the benefit of the veteran himself under authority of section 202, subdivision (7). Section 23 of the war risk insurance act contained a provision similar to the one proposed by this bill, but it was eliminated by the act of June 7, 1924, apparently upon the assumption that these cases would be taken care of by section 202 (7). It has developed, however, that the provision of section 202 (7) is not adequate.

Also authorizes the reestablishment of the fund known as "fund due incompetent beneficiaries," which was established under section 23 of the war risk insurance act and into which the bureau has always paid to the credit of an incompetent beneficiary any part of the funds not paid to the chief officer of the institution in which he is an inmate, now apportioned to his dependents under the provisions of section 202 (7). The Comptroller General has ruled, however, that subsequent to June 7, 1924, no legal authority existed for this fund, and although he has permitted it to be continued until June 30, 1930, it will be necessary to amend the law to provide therefor subsequent to that date.

Also provides that in case the incompetent veteran recovers and is found competent, the balance remaining in the fund may be paid to him, or, if he does not recover, to his guardian, or in the event of his death to his personal representative. In case, however, escheat would result upon death of the veteran, it is provided that the escheat shall be to the United States, as will also be the case with any funds derived from compensation or insurance that are in the hands of a guardian, curator, conservator, or other fiduciary at the time of the veteran's death.

Section 6 proposes to amend section 28 of the World War veterans' act, as amended, to provide that said section, as amended, shall be deemed to be in effect as of June 7, 1924. Section 28 of the World War veterans' act, as amended, authorizes the waiver of recovery of payments from any person, who, in the judgment of the director is without fault on his part, and where, in the judgment of the director such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience, and further provides that no disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section. The last-mentioned provision, relieving the disbursing officers from liability, was inserted in the statute at the second session of the Seventieth Congress on recommendation of the Director of the United States Veterans' Bureau, it having been shown that the Comptroller General of the United States had held that, although recovery might be waived so far as the payee was concerned, the disbursing officer was nevertheless liable under his bond for any erroneous disbursement. Although the committee believed that the language was sufficiently clear and unambiguous to express the intention of Congress that these disbursing officers should no longer be liable for amounts, the recovery of which had been waived prior to the amendment, as well as those which might be waived subsequent thereto, the Comptroller General has ruled that there is no authority to apply this amendment retroactively so as to relieve disbursing officers for disallowances set up against their accounts prior to May 29, 1928. This amendment specifically declaring that section 28, as amended, shall be deemed to be in effect as of June 7, 1924, is therefore now included at the request of the director of the bureau. It is estimated that the cost of this amendment will be approximately \$218,500.

Section 7 adds a section to Title I of the World War veterans' act, as amended, to provide that checks properly issued to beneficiaries, which are undelivered for any reason, shall be retained in the files of the bureau until such time as delivery may be accomplished, or until three full fiscal years have elapsed after the end of the fiscal year in which issued. This amendment is included at the request of the director. At present the General Accounting Office insists that all undelivered checks more than 3 months old be forwarded to that office for safe-keeping, with the requirement that a claim be submitted by the payee before they may be remailed. This procedure was established under regulations issued by the Comptroller General under his general authority to regulate the settlement and adjustment of the accounts of the Government of the United States. It is not believed, however, that this procedure properly considers the great numbers of checks issued by the bureau which upon failure of delivery to beneficiaries are returned. It is not thought that a beneficiary who has once filed a proper claim for the benefits conferred by the legislation administered by the bureau, and who very often is receiving current payments on an award, should be required to file another claim in order to secure a check that has been issued to him and returned to the bureau undelivered for any reason.

Further, the work of the bureau is complicated unduly, especially in the supervision of the accounts of fiduciaries for minor and incompetent beneficiaries, inasmuch as when these checks are remailed by the General Accounting Office the bureau receives no notice thereof unless certification is made to the payee other than the one in whose favor the check was originally drawn, and it will readily be seen, therefore, that a fiduciary may receive payments of which the bureau will have no knowledge, and will therefore be unable to require a proper accounting as contemplated by section 21 of the World War veterans' act, as amended. The amendment recommended whereby the bureau will be authorized to retain those checks for a period of not more than three years will be less costly, in the opinion of the bureau, than the present procedure under which they are required to be delivered to the General Accounting Office, to be held for a period of not less than three years before final disposal is made of them.

Section 8 adds a section to Title I of the World War veterans' act, as amended, to be known as section 38, to authorize the director to buy uniforms for all personnel employed as watchmen, elevator operators, and elevator starters in the Arlington Building in order that they may present an appearance indicating the official capacity in which they serve. This follows the practice in other governmental departments.

Section 9 adds a section to be known as section 39 to enable the Secretary of War to accumulate in the city of Washington all medical and service records now scattered throughout the United States in many Army stations. The records are with particular regard to veterans of the World War and are of inestimable value in enabling both the veterans and the Veterans' Bureau to determine if certain allegations made in connection with claim for compensation can be supported by the records, thus eliminating delay and the necessity for much affidavit evidence which must now be furnished in lieu of such records. The approximate cost of the enactment is not estimated, but it has several times been recommended in connection with appropriation acts submitted for the War Department.

Section 10 amends section 200 by eliminating the necessity for the showing of the existence of any particular disease prior to January 1, 1925, this being accomplished by providing a presumption of service connection for all men who can show a 10 per cent disability prior to January 1, 1925. This presumption is to be rebuttable by clear and convincing evidence in all cases except those of tuberculosis, spinal meningitis, paralysis, paresis, blindness, and veterans permanently helpless or permanently bedridden. Rebutting evidence will, of course, be restricted to such matters as accidents, intervening causes such as epidemics, etc. It is not the intention of the committee by the passage of this section to affect in any way adversely the rights of persons under the present law but to add to the rights of such persons. Payments as a result of new presumptions, however, are not to be retroactive and are to continue only for a period of three years following enactment of the bill. The purpose of this amendment is to place all cases wherein a disability of 10 per cent or more is shown prior to January 1, 1925, on a parity and to pay them for three years. Your committee feels that during this period a joint committee of Congress proposed to be appointed under H. R. 222 could be appointed and make a study as to the future policy of the Government with respect to veterans' relief. It should not be understood that this measure is in any way to be considered a permanent one.

Section 11 proposes to amend section 201, subdivisions (f) and (l), of the World War veterans' act, as amended. Subdivision (f) now provides that the status of dependency of a father or mother of a deceased veteran who is receiving dependency compensation, shall be determined as of the first day of each year, by the substitution of language, which, although requiring an annual determination of dependency, will not require it as of the first day of each year, which has been construed by the bureau and the Comptroller General to mean the first day of each calendar year. The administrative burden placed upon the bureau through the necessity of reviewing all of these cases as of the 1st day of January in each year is so great that the director has recommended that the language be changed to permit of the annual review as of the anniversary date of the award. This will spread the reviews throughout the entire year, and not only relieve the burden upon the bureau but also that upon the dependent parents, especially in those cases where the first award is made toward the end of one calendar year, only to be reviewed, with the submission of such proof as may be required, as of the first of the next calendar year.

In amending subdivision (l) of section 201, relating to burial expenses, this bill also proposes making the present allowances for burial and funeral expenses payable in all cases where death occurs in a national military home, irrespective of whether the veteran is receiving compensation or other benefits.

A new proviso is added to the burial allowance provision authorizing the director to furnish a flag to drape the casket of a deceased veteran of any war regardless of the cause of death. At the present time flags are furnished when burial expenses are allowed, but the committee believes the Government should provide a flag in all cases. The cost of this item is estimated at \$40,250 for the year 1930.

Section 12 amends subdivisions (3) and (5) of section 202 by providing compensation of \$25 a month independent of any other com-



pensation that may be payable under the World War veterans' act, 1924, as amended, to any person who suffered the loss of the use of a creative organ or one foot or one hand or both feet or both hands in the active service in the line of duty between April 6, 1917, and November 11, 1918, and removes the necessity for showing the constant need of a nurse or attendant where claim for a nurse or attendant allowance is made. Your committee felt that these men who suffered a disability in line of duty during the period of actual warfare are entitled to this additional amount. The purpose of the amendment with reference to nurse or attendant allowance is to overcome the ruling of the bureau which prohibits the payment of this allowance in certain bed cases, simply because there is not a "constant" need for a nurse or attendant, whereas there is an actual need for all practical purposes.

Section 13 amends subdivision (7) of section 202 of the act to provide that in any case where the estate of an insane veteran who has no dependents equals or exceeds \$3,000, further payment of compensation shall be suspended until the estate is reduced below that amount, in which event payment will again be resumed up to \$3,000. The purpose of this amendment is to avoid the building up of big estates of these insane veterans who have no dependent relatives and whose estates might otherwise escheat.

This section also amends subdivision (7) by striking out the requirement in connection with the \$50 statutory award for tuberculosis that active tuberculosis must be shown to have existed. The purpose of this amendment is to overcome a decision of the Comptroller General, which held that active tuberculosis had actually to be shown to exist before the condition of arrest was reached, in order for the statutory award to be payable. Your committee felt that if a man who has had active tuberculosis service connected, which has reached a condition of arrest, is entitled to \$50, the man who has arrested tuberculosis service connected, although he can show no activity after entrance into the service and prior to January 1, 1925, is equally entitled to that award. In order that there may be no mistake as to the intention of Congress, the requirement for showing activity in tuberculosis cases under the presumption provisions has been removed. This section also directs the director to insert in the schedule of disability ratings a minimum rating of 25 per cent for arrested or apparently cured tuberculosis. At the present time, after two years of arrest the rating schedule of the bureau provides no per cent for apparently cured cases. In view of the fact that the Congress has authorized a statutory rate of \$50 a month it would seem to the committee that the provision of the rating schedule is out of line, and that the payments made to the man as a result of a combination of ratings is too low a rate for men suffering with arrested tuberculosis and other disabilities. Your committee was advised by the director about three years ago that his medical council had advised him that persons with arrested tuberculosis had a minimum industrial handicap of 25 per cent.

Section 14 adds a paragraph to subdivision (10) of section 202 of the act by authorizing payment of compensation at specific rates to the dependents of World War veterans hospitalized under that section, who file an affidavit with the commanding officer of the hospital to the effect that their annual income is less than \$1,000. The purpose of this amendment is to take care of the dependents of the uncompensated veterans in hospitals or those veterans in receipt of a small amount of compensation who may be hospitalized for nonservice connected disabilities.

Section 15 amends subdivision (15) of section 202, which provides that any person who is now receiving a gratuity or pension from the United States shall not receive compensation under this section unless he shall first surrender all claim to further payments of such gratuity or pension, by providing that where such surrender of pension is made, any disability incurred in the military service of the United States, by reason of which said pension would be payable, shall be evaluated in accordance with the provisions of subdivision (4), section 202, and shall be payable as compensation under this act. Provision is also made for the combining of such rate with other ratings. The purpose of this amendment is to permit a person to receive adequate compensation for all disabilities incurred in the service.

Sections 16 and 17 propose to repeal sections 206 and 209 of the statute, which now limit the time for filing claim and proof thereof to April 6, 1930. There would be no immediate increased cost involved in this amendment in view of the fact that the termination date will not be reached until April 6, 1930. It is impossible to estimate the effect of the repeal of these sections prior to that date. It is the opinion of the committee that no restrictions should be placed upon the filing of claims and proof thereof.

Section 18 amends section 210 of the World War veterans' act, as amended, by the addition of a proviso to the effect that nothing therein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924. This amendment is designed to place the stamp of approval on the interpretation of the World War veterans' act, 1924, by the bureau to the effect that in cases first brought within the purview of the statute by the act of June 7, 1924, no compensation could be paid for any period prior to that date.

Section 19 adds two provisos to section 212 of the World War veterans' act, 1924, as amended, by adding (1) that where a veteran dies after June 7, 1924, as a result of disease or injury for which he was entitled to compensation by virtue of an accrued right under the war risk insurance act, as amended, his dependents shall be entitled to the compensation provided by section 201 of the act; and (2) that an application for compensation under the provisions of the war risk insurance act, as amended, or the World War veterans' act, 1924, as amended, shall be deemed to be a claim for compensation under all subsequent amendments. In connection with the first of these matters it has come to the attention of the committee that there was a small number of veterans who incurred disabilities between July 2, 1921, and June 7, 1924, and who, under the war risk insurance act as amended August 9, 1921, were entitled to disability compensation. The World War veterans act, 1924, as amended, however, provides for payment of compensation only where death or disability was incurred between April 6, 1917, and July 2, 1921. Where a veteran of this class died before June 7, 1924, his dependents acquired an accrued right to compensation under the war risk insurance act, as amended, which is payable under the World War veterans' act, 1924, as amended, but in the event the veteran died subsequent to June 7, 1924, although he received disability compensation up to the time of his death by virtue of an accrued right under the war risk insurance act, as amended, his dependents—who acquired no such accrued right—are not entitled to death compensation. It is the opinion of the committee that the widows, children, and dependent parents of these veterans should be entitled to compensation.

The second proviso is designed to overcome the ruling of the Comptroller General to the effect that a claim which has been disallowed under an early statute can not be reviewed and paid, under a subsequent amendment bringing the case within the purview of the law, without the filing of a new claim. The bureau has always followed the practice of reviewing these cases without requiring another application, on the theory that section 305 of the war risk insurance act, as amended, and section 205 of the World War veterans act, 1924, as amended, which authorize the bureau at any time, upon its own motion or upon application, to review disallowed cases, permitted such action. The committee believes the practice of the bureau to be legally sound, administratively advisable, and reasonable from the point of view of both the veteran and the Government.

Section 20 adds a new section to the World War veterans' act, 1924, as amended, to be known as section 214 and to authorize the director in his discretion to pay to the wife, child, or children of a compensable incompetent veteran who disappears the same amount of compensation as is provided in section 201 of the World War veterans' act, 1924, as amended, for dependents of veterans. When a veteran disappears it is necessary for the bureau to suspend all payments of compensation pending his reappearance or proof of his death. This works great hardship upon the dependents and it is the opinion of the committee that there should be legal authority for paying an allowance to the dependents under such circumstances.

Section 21 proposes a slight amendment to paragraph 3 of section 301 of the statute. This section now provides that where an insured whose yearly renewable term insurance has matured by reason of permanent and total disability is found and declared to be no longer totally disabled and is required to renew payment of premiums on said term insurance, and this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there shall be given an additional period of two years in which to renew payment of premiums and to convert said term insurance. The amendment provides that during the same two years he shall also have the right to reinstate his term insurance should it lapse. There are a number of cases in which the insured has permitted his insurance to lapse either by failure to pay the first premium at the required time or, having once renewed the payment of premiums and before conversion, has permitted the insurance to lapse. In such cases the insured, unless in a state of health which would meet the requirements for direct application for converted insurance under section 310 of the World War veterans' act, as amended, is precluded from carrying Government insurance. This amendment would, within the 2-year period described, permit him to reinstate his old term insurance and convert it under less rigid requirements as to good health. The records of the bureau show that there are at present 100 cases in which insurance has been allowed to lapse after recovery from a disability rated permanent and total, 48 of which lapsed for the nonpayment of the first premium due after the rating and 52 for the nonpayment of premiums subsequent to the first. In a number of cases the remittance to cover the monthly premium was only a few days late. The fourth paragraph of this section is also amended, the purpose being merely to carry through the entire act the amendment included in section 3 of this bill, which, as explained heretofore, amends section 16 of the World War veterans' act, as amended, to authorize specifically refund of unearned premiums on yearly renewable term insurance.

Section 22 amends section 304 of the World War veterans' act as amended, by changing the language of the last proviso thereof, which now states that no yearly renewable term insurance shall be reinstated after July 2, 1927, to provide an exception in favor of those who will



reinstate term insurance during the 2-year period allowed in section 301 for those who have recovered from permanent and total disability.

Section 23 amends section 307, which relates to the incontestability of insurance contracts. The purpose is to make all contracts or policies of insurance incontestable from date of issuance, reinstatement, or conversion, for all reasons except fraud, nonpayment of premiums, or that the applicant was not a member of the military or naval forces of the United States. This incontestability would protect contracts where they were not applied for within the time limit required, where the applicant was not in the required state of health, or was permanently and totally disabled prior to the date of application, or for any other reasons except those specifically mentioned in the statute. It is appreciated that this is a broad provision, but it was felt that it was necessary in order to do justice to the veterans, to place this insurance on a parity with commercial insurance companies from a stability standpoint, and to overcome decisions of the Comptroller General which practically nullify the section as it now exists. Further provision is made permitting the insured to elect after a reinstatement or conversion to go back to some prior contract and claim rights thereunder; and if he proves himself entitled to such rights, upon surrender of the latter contract or contracts, to be paid under the prior contract. The purpose is to prohibit the raising of estoppel against the claimant either in or out of the courts because of his reinstatement or conversion of his insurance. The effect of the present practice of the bureau in raising estoppel is to penalize the man who pays his premiums or tries to continue all or a part of his insurance in force. This amendment is specifically made retroactive in order that in any case where the claim has been heretofore disallowed on the ground of estoppel, or because of the policy not being incontestable, the insured, or the beneficiary under such contract or policy may, if he/she so elects, have the benefit thereof. It is contemplated that payments in cases of contracts or policies incontestable under this section will begin from date of maturity of such contracts or policies.

Section 24 proposes to amend section 311 of the statute, which was added to the law at the last Congress (Public, No. 585, 70th Cong.), and was designed to authorize the director to include in the present United States Government life (converted) insurance policy a clause providing a new maturing factor. This amendment provided that where an insured was totally disabled for a period of 12 consecutive months he should receive disability benefits as if he were permanently and totally disabled, thus authorizing the payment of disability benefits of \$5.75 for each \$1,000 of insurance, the face of the policy being depleted by such payments. Prior to this amendment the man must have been permanently and totally disabled before any disability benefit was payable under his policy. The amendment in the present bill, however, provides for a disability benefit of \$5.75 per \$1,000 upon application of the insured, which upon the happening of the contingency on which it is based, i. e., total disability for a period of four months or more, shall be paid independent of the present permanent and total disability clause in the policy and shall not deplete the face value of the policy. Payments begin on the first day of the fifth consecutive month. In the event the insured becomes actually permanently and totally disabled within the meaning of the present provision in the converted insurance policy, he is, under the amendment, to receive payments under the new total disability clause concurrently with the payments under the permanent and total disability clause now in the converted policy, payments under the latter only depleting the face value. This new disability feature is limited to a rate of \$5.75 on each \$1,000 of insurance carried and may be less than the total amount carried, but not more. It is to be handled as a separate liability from the present provision for a permanent and total disability and will be so shown on the records, so that the present United States Government life insurance fund shall not be assessed for any losses to be paid under this provision. This insurance will be paid for by the insured and will not result in any increased cost to the Government except so far as the cost of administration is concerned.

Section 25 has for its purpose the protecting of rights existing under the World War veterans' act, 1924, and amendments thereto in effect prior to the passage of this amendatory bill. Your committee was of the opinion that the rights granted by this amendatory bill should be in addition to those previously conferred, and in order that there might be no misunderstanding concerning the intention of Congress this section is included in the bill.

#### THE PROBABLE EXPENSE

In response to request from the chairman of the committee, the director of the bureau replied as follows:

UNITED STATES VETERANS' BUREAU,  
Washington, February 28, 1930.

HON. ROYAL C. JOHNSON,  
Chairman Committee on World War Veterans' Legislation,  
House of Representatives, Washington, D. C.

MY DEAR MR. JOHNSON: Reference is made to your recent request for an estimate of the cost on H. R. 10381, a bill to amend the World War veterans' act, which was ordered reported out by the Committee on World War Veterans' Legislation February 26, 1930, with amendments.

In response to your request, the following information is furnished: Section 1. No estimate possible. The section in its entirety deals with administration.

Section 2. No estimate possible.

Section 3. No estimate possible. This section establishes by law the policy heretofore followed by the bureau with regard to refund of premiums, but which has been held by the Comptroller General to be unauthorized.

Section 4. No estimate possible.

Section 5. The section is administrative and will undoubtedly result in a considerable saving.

Section 6. Will result in a cost of \$218,500. As a matter of fact, these payments have already been made, and the section is merely to relieve disbursing officers of liability thereunder.

Section 7. No cost involved.

Section 8. The section will cost approximately \$1,800.

Section 9. No estimate possible.

Section 10. Estimated increased cost \$76,028,000 per annum.

Section 11. Subdivision (f). No increased cost. Subdivision (1), estimated cost of provision with reference to flags \$40,250 in 1930. No estimate possible with reference to cost of paying funeral expenses for those dying in military homes.

Section 12. Estimated cost based on known cases of amputation as shown in the bureau records \$1,016,700 annually. It is impossible to estimate the number of cases affected or the cost of the provision referred to as "loss of use." No estimate possible regarding the changed provisions relative to the allowance for nurse or attendant.

Section 13. No increased cost involved in the provision regarding reduction of estates of hospitalized incompetent veterans having neither wife, children, nor dependent parent. The estimated cost of the last provision with reference to the insertion of a 25 per cent permanent partial rating for arrested tuberculosis in the Schedule of Disability Ratings is \$1,966,284.

Section 14. Estimated cost, \$9,753,400. This estimate is based only upon the number of cases hospitalized during the last year in bureau hospitals under the provisions of section 202 (10) of the World War veterans' act. It is impossible to estimate how many additional veterans may become entitled to this provision as hospital facilities are increased.

Section 15. No estimate possible.

Section 16. No immediate cost involved.

Section 17. No immediate cost involved.

Section 18. This section is a confirmation of the bureau interpretation with reference to the World War veterans' act, as amended, regarding the effective date of payments thereunder. Were this provision not enacted, it would be necessary to expend an additional \$42,000,000. However, this section can not be considered as a saving as the bureau does not believe that such payments are authorized by law.

Section 19. No estimate possible, but a very small group is involved.

Section 20. No estimate possible.

Section 21. No estimate possible.

Section 22. No estimate possible.

Section 23. No estimate possible.

Section 24. No increased cost.

Section 25. No increased cost.

Total estimated cost per annum, \$89,024,934.

In connection with the figures referred to above it may be stated that the same are based upon the records of the bureau regarding disallowed cases in so far as compensation cost is concerned. Obviously, there is no method of estimating the increased cost which would result from new claims filed subsequent to the enactment of the amendment which are found to come within its provisions. As a result, it may be definitely stated that the cost referred to herein is the minimum cost of the Government for the first year following the passage of the proposed enactment.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, Director.

Giving weight to the uncertain factors as to which no definite estimate is possible, it is expected that this bill will add at least \$100,000,000 a year to the annual appropriations, now amounting to about \$500,000,000, for the benefit of veterans of the World War and their dependents.

#### THE BILL IN FULL

In accordance with the rules of the House, the bill by Mr. JOHNSON of South Dakota in full is here printed, the typography showing by use of brackets matter to be stricken from existing law, and by use of italics the new matter to be inserted.

"A bill to amend the World War veterans' act, 1924, as amended

"Be it enacted, etc., That section 5 of the World War veterans' act, 1924, as amended (sec. 426, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 5. The director, subject to the general direction of the President, shall administer, execute, and enforce the provisions of this act,

and for that purpose shall have full power and authority to make rules and regulations, not inconsistent with the provisions of this act, which are necessary or appropriate to carry out its purposes, and shall decide all questions arising under this act and all decisions [of questions of fact] affecting any [claimant] claimant's rights to the benefits of Titles II, III, or IV of this act, shall be conclusive except as otherwise provided herein. *Notwithstanding the provisions of section 71, title 31, United States Code, the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of the disbursing officers of the United States Veterans' Bureau for all payments authorized by the director heretofore or hereafter made from moneys appropriated for carrying out the provisions of the World War veterans' act, as amended.* All officers and employees of the bureau shall perform such duties as may be assigned them by the director. All official acts performed by such officers or employees specially designated therefor by the director shall have the same force and effect as though performed by the director in person. Wherever under any provision or provisions of the act regulations are directed or authorized to be made, such regulations, unless the context otherwise requires, shall or may be made by the director. The director shall adopt reasonable and proper rules to govern the procedure of the divisions and to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits of compensation, insurance, vocational training, or maintenance and support allowance provided for in this act, the forms of application of those claiming to be entitled to such benefits, the methods of making investigations and medical examinations, and the manner and form of adjudications and awards: *Provided, That regulations relating to the nature and extent of the proofs and evidence shall provide that due regard shall be given to lay and other evidence not of a medical nature.*

"SEC. 2. That section 10 of the World War veterans' act, 1924, as amended (sec. 434, title 38, U. S. C.), be hereby amended by adding thereto the following paragraphs:

*"The director is further authorized to secure such recreational facilities, supplies, and equipment for the use of patients in hospitals and for employees at isolated stations as he, in his discretion, may deem necessary, and the appropriations made available for the carrying out of the provisions of this section may be expended for that purpose.*

*"There is hereby transferred to the jurisdiction and control of the United States Veterans' Bureau the property referred to in acts of Congress of May 29, 1902 (sec. 1346, title 10, U. S. C.), and March 22, 1906 (secs. 151-154, title 24, U. S. C.), and known as the Battle Mountain Sanatorium Reserve, and the Board of Managers of the National Home for Disabled Volunteer Soldiers, is hereby authorized and directed to execute a deed to said property running to the United States."*

"SEC. 3. That section 16 of the World War veterans' act, 1924, as amended (sec. 442, title 38, U. S. C.), be hereby amended to read as follows:

*"SEC. 16. All sums heretofore appropriated for the military and naval insurance appropriation and all premiums collected for the yearly renewable term insurance provided by the provisions of Title III deposited and covered into the Treasury to the credit of this appropriation, shall, where unexpended, be made available for the bureau. All premiums that may hereafter be collected for the yearly renewable term insurance provided by the provisions of Title III hereof shall be deposited and covered into the Treasury for the credit of this appropriation. Such sum, including all premium payments, is made available for the payment of the liabilities of the United States incurred under contracts of yearly renewable term insurance made under the provisions of Title III, including the refund of premiums and such liabilities as shall have been or shall hereafter be reduced to judgment in a district court of the United States or in the Supreme Court of the District of Columbia. Payments from this appropriation shall be made upon and in accordance with the awards by the director."*

"SEC. 4. That section 19 of the World War veterans' act, 1924, as amended (sec. 445, title 38, U. S. C.), be hereby amended to read as follows:

*"SEC. 19. In the event of disagreement as to claim, including claim for refund of premiums, under a contract of insurance between the bureau and any person or persons claiming thereunder an action on the claim may be brought against the United States either in the Supreme Court of the District of Columbia or in the district court of the United States in and for the district in which such persons or any one of them resides, and jurisdiction is hereby conferred upon such courts to hear and determine all such controversies. The procedure in such suits shall be the same as that provided in sections 5 and 6 of the act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and section 10 thereof so far as applicable. All persons having or claiming to have an interest in such insurance may be made parties to such suit and such as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication or in such other reasonable manner as the court may direct. In all cases where the bureau acknowledges the indebtedness of the United States upon any such contract of insurance and there is a dispute as to the person or persons entitled to payment, a suit in the nature of a*

*bill of interpleader may be brought by the bureau in the name of the United States against all persons having or claiming to have any interest in such insurance in the Supreme Court of the District of Columbia or in the district court in and for the district in which any of such claimants reside: Provided, That not less than 30 days prior to instituting such suit the bureau shall mail a notice of such intention to each of the persons to be made parties to the suit. The circuit courts of appeal and the Court of Appeals of the District of Columbia shall, respectively, exercise appellate jurisdiction and, except as provided in sections 239 and 240 of the Judicial Code 346 and 347, title 28, United States Code, the decrees of the circuit courts of appeal and the Court of Appeals of the District of Columbia shall be final. [This section shall apply to all suits now pending against the United States under the provisions of the war-risk insurance act as amended or of the World War veterans' act, 1924, and amendments thereto.]*

*"No suit shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made, or within one year from the date of the approval of this amendatory act, whichever is the later date: Provided, That for the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is founded: Provided further, That this limitation is suspended for the period elapsing between the filing in the bureau of the claim sued upon and the denial of said claim by the director. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the bureau shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year, though the period of limitations has elapsed. Judgments heretofore rendered against the person or persons claiming under the contract of war-risk insurance on the ground that the claim was barred by the statute of limitations shall not be a bar to the institution of another suit on the same claim. No State or other statute of limitations shall be applicable to suits filed under this section. [This section shall apply to all suits now pending against the United States under the provisions of this section.]*

*"In any suit, action, or proceeding brought under the provisions of this act, subpoenas for witnesses who are required to attend a court of the United States in any district may run into any other district: Provided, That no writ of subpoena shall issue for witnesses living out of the district in which the court is held at a greater distance than 100 miles from the place of holding the same without the permission of the court being first had upon proper application and cause shown. The word "district" and the words "district court" as used herein shall be construed to include the District of Columbia and the Supreme Court of the District of Columbia.*

*"Attorneys of the bureau when assigned to assist in the trial of cases, and employees of the bureau when ordered in writing by the director to appear as witnesses shall be paid the regular travel and subsistence allowance paid to other employees when on official travel status.*

*"Part time and fee basis employees of the bureau, in addition to their regular travel and subsistence allowance, when ordered in writing by the director to appear as witnesses in suits under this section, may be allowed, within the discretion and under written orders of the director, a fee in an amount not to exceed \$20 per day.*

*"Employees of the United States Veterans' Bureau who are subpoenaed to attend the trial of any suit, under the provisions of this act, as witnesses for plaintiffs shall be granted official leave for the period they are required to be away from the bureau in answer to such subpoenas.*

*"The term "claim" as used in this section means any writing which alleges permanent and total disability at a time when the contract of insurance was in force, or which uses words showing an intention to claim insurance benefits, and the term "disagreement" means a denial of the claim by the director or some one acting in his name on an appeal to the director. This section, as amended, with the exception of this paragraph, shall apply to all suits now pending against the United States under the provisions of the war-risk insurance act, as amended, or the World War veterans' act, 1924, as amended."*

"SEC. 5. That a new subdivision be added to section 21 of the World War veterans' act, 1924, as amended (sec. 450, title 38, U. S. C.), to be known as subdivision (3), and to read as follows:

*"(3) All or any part of the compensation or insurance, the payment of which is suspended or withheld under this section, may, in the discretion of the director, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary to be used solely for the benefit of such beneficiary, or, in the case of an incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is an inmate, nor apportioned to his dependent or dependents, under the provisions of section 202 (7) of this act, may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order, and in the discretion of the director, for the benefit of such veteran or his dependents. Any balance remaining in such funds to the credit of any*



veteran may be paid to him if he recovers and is found competent, or otherwise to his guardian, curator, or conservator, or in the event of his death to his personal representative, except as provided in section 26 of this act: *Provided*, That payment will not be made to his personal representative if, under the law of the State of his last legal residence, his estate would escheat to the State: *Provided further*, That any funds in the hands of a guardian, curator, conservator, or person legally vested with the care of the veteran or his estate, derived from compensation, automatic or term insurance payable under said acts, which, under the law of the State wherein the veteran had his last legal residence, would escheat to the State shall escheat to the United States and shall be returned by such guardian, curator, conservator, or person legally vested with the care of the veteran or his estate less legal expenses of any administration necessary to determine that an escheat is in order, to the bureau, and shall be deposited to the credit of the current appropriations provided for payment of compensation and insurance.

"Sec. 6. That section 28 of the World War veterans' act, 1924, as amended (sec. 453, title 38, U. S. C.), be hereby amended to read as follows:

"Sec. 28. There shall be no recovery of payments from any person who, in the judgment of the director, is without fault on his part and where, in the judgment of the director, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience. No disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section.

"When under the provisions of this section the recovery of a payment made from the United States Government life insurance fund is waived, the United States Government life insurance fund shall be reimbursed for the amount involved from the current appropriation for military and naval insurance.

"This section, as amended, shall be deemed to be in effect as of June 7, 1924."

"Sec. 7. That a new section be added to Title I of the World War veterans' act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 37, and to read as follows:

"Sec. 37. Checks properly issued to beneficiaries and undelivered for any reason shall be retained in the files of the bureau until such time as delivery may be accomplished, or, until three full fiscal years have elapsed after the end of the fiscal year in which issued."

"Sec. 8. That a new section be added to Title I of the World War veterans' act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 38, and to read as follows:

"Sec. 38. The director is hereby authorized to purchase uniforms for all personnel employed as watchmen, elevator operators, and elevator starters in the Arlington Building, city of Washington, District of Columbia."

"Sec. 9. That a new section be added to Title I of the World War veterans act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 39, and to read as follows:

"Sec. 39. The Secretary of War is hereby authorized and directed to transfer to and accumulate in the War Department in the city of Washington, District of Columbia, all records and files containing information regarding medical and service records of veterans of the World War: *Provided*, That the necessary appropriation to accomplish the transfer of such records and files is hereby authorized."

"Sec. 10. That section 200 of the World War veterans' act, 1924, as amended (sec. 471, title 38, U. S. C.), be hereby amended to read as follows:

"Sec. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, or shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or

before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defect, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925 [neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, or amoebic dysentery], a disability developing a 10 per cent degree [of disability] or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting [neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, or amoebic dysentery] disability in such service between said dates, and said presumption shall be conclusive in cases of [active] tuberculosis [disease], paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability [due to these diseases] of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further*, That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act, nor for more than three years after such approval pending a further study of veterans' relief by the Congress."

"Sec. 11. That section 201 subdivisions (f) and (1), of the World War veterans' act, 1924, as amended (secs. 472, title 38, U. S. C.), be hereby amended to read as follows:

"(f) If there is a dependent mother (or dependent father), \$20, or both, \$30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of \$75. Such compensation shall be payable, whether the dependency of the father or mother or both arises before or after the death of the person: *Provided*, That the status of dependency shall be determined annually as of the [first day of each year] anniversary date of the approval of the award, and the director is authorized to require a submission of such proof of dependency as he, in his discretion, may deem necessary: *Provided further*, That upon refusal or neglect of the claimant or claimants to supply such proof of dependency in a reasonable time, the payment of compensation shall be suspended or discontinued.

"(1) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States Veterans' Bureau shall pay for burial and funeral expenses and the return of body to his home a sum not to exceed \$100, as may be fixed by regulation. Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director, in his discretion, and with due regard to the circumstances of each case, shall pay, for burial and funeral expenses and the transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding \$107 to cover such items and to be paid to such person or persons as may be fixed by regulations: *Provided*, That when such person dies while receiving from the bureau compensation or vocational training, or in a national military home, the above benefits shall be payable in all cases: *Provided further*, That where such person, while receiving from the bureau medical, surgical, or hospital treatment, or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, or in a national military home, the above benefits shall be payable in all cases, and in addition thereto the actual and necessary cost of the transportation of the body of the person (including preparation of the body) to the place of burial, within the continental limits of the United States, its Territories, or possessions, and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *Provided further*, That no accrued pension, compensation, or insurance due at the time of death shall be deducted from the sum allowed: *Provided further*, That the director may, in his discretion, make contracts for burial and funeral services within the limits of the amounts allowed herein without regard to the laws prescribing advertisement for proposals for supplies and services for the United States Veterans' Bureau: *Provided further*, That section 5, title 41, of the United States Code shall not be applied to contracts for burial and funeral expenses heretofore entered into by the director so as to deny payment for services rendered thereunder, and all suspensions of payment heretofore made in connection with such contracts are hereby removed, and any and all payments which are now or may hereafter become due on such contracts are hereby expressly authorized: *Provided*

further, That no deduction shall be made from the sum allowed because of any contribution toward the burial which shall be made by any State, county, or municipality, but the aggregate of the sum allowed plus such contribution or contributions shall not exceed the actual cost of the burial.

"Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director shall furnish a flag to drape the casket of such veteran and afterwards to be given to his next of kin regardless of the cause of death of such veteran."

"Sec. 12. That subdivisions (3) and (5) of section 202 of the World War veterans' act, 1924, as amended (secs. 473, 478, 479, title 38, U. S. C.), be hereby amended to read as follows:

"(3) If and while the disability is rated as total and permanent, the rate of compensation shall be \$100 per month: *Provided, however*, That the permanent loss of the use of both feet, or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total permanent disability: *Provided further*, That the compensation for the loss of the use of both eyes shall be \$150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be \$200 per month: *Provided further*, That for double total permanent disability the rate of compensation shall be \$200 per month.

"That any ex-service man shown to have a tuberculous disease of compensable degree, and who has been hospitalized for a period of one year, and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from hospitalization will not be prejudicial to the beneficiary or his family, and who is not, in the judgment of the director, feasible for training, shall, upon his request, be discharged from hospitalization and rated as temporarily totally disabled, said rating to continue for the period of three years: *Provided, however*, That nothing in this subdivision shall deny the beneficiary the right, upon presentation of satisfactory evidence, to be adjudged to be permanently and totally disabled: *Provided further*, That in addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services, including payment of court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for care and treatment of the insane, and shall be furnished with such supplies, including wheel chairs, artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary, which wheel chairs, artificial limbs, trusses, and similar appliances may be procured by the bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided*, That nothing in this act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service: *Provided further*, That where any person entitled to the benefits of this paragraph has heretofore been hospitalized in a State institution, the United States Veterans' Bureau is hereby authorized to reimburse such person, or his estate where payment has been made to the State out of the funds of such person, or to reimburse the State or any subdivision thereof where no payment has been made for the reasonable cost of such services from the date of admission.

"There shall be paid to any person who suffered the loss of the use of a creative organ or one or more feet or hands in the active service in line of duty between April 6, 1917, and November 11, 1918, compensation of \$25 per month, independent of any other compensation which may be payable under this act.

"(5) If the disabled person is so helpless as to be in [constant] need of a nurse or attendant, such additional sum shall be paid, but not exceeding \$50 per month, as the director may deem reasonable."

"Sec. 13. That subdivision (7) of section 202 of the World War veterans' act, 1924, as amended (secs. 480, 481, title 38, U. S. C.), be hereby amended to read as follows:

"(7) Where any disabled person having neither wife, child, nor dependent parent shall after July 1, 1924, have been maintained by the Government of the United States for a period or periods amounting to six months in an institution or institutions, and shall be deemed by the director to be insane, the compensation for such person shall thereafter be \$20 per month so long as he shall thereafter be maintained by the bureau in an institution; and such compensation may, in the discretion of the director, be paid to the chief officer of said institution to be used for the benefit of such person: *Provided, however*, That in any case where the estate of such veteran derived from funds paid under the war risk insurance act, as amended, and/or the World War veterans' act, 1924, as amended, equals or exceeds \$3,000, payment of the \$20 per month shall be discontinued until the estate is reduced to \$3,000: *Provided [however]* further, That if such person shall recover his reason and shall be discharged from such institution as competent, such additional sum shall be paid him as would equal the total sum by which his com-

pensation has been reduced or discontinued through the provisions of this subdivision.

"All or any part of the compensation of any mentally incompetent inmate of an institution may, in the discretion of the director, be paid to the chief officer of said institution, to be properly accounted for and to be used for the benefit of such inmate, or may, in the discretion of the director, be apportioned to wife, child, or children, or dependent parents in accordance with regulations.

"That any ex-service person shown to have had a tuberculous disease of [a compensable degree, who in the judgment of the director has reached a condition of complete arrest of his disease,] service origin, whether active or otherwise, shall receive compensation of not less than \$50 per month: *Provided, however*, That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further*, That no payments under this provision shall be retroactive, and the payments hereunder shall commence from the date of the passage of this amendatory act or the date the disease reaches a condition of arrest, whichever be the later date.

"The director is hereby authorized and directed to insert in the rating schedule a minimum rating of permanent partial 25 per cent for arrested or apparently cured tuberculosis."

"Sec. 14. That two new paragraphs be added to subdivision (10) of section 202 of the World War veterans' act, 1924, as amended (sec. 484, title 38, U. S. C.), to read as follows:

"Where a World War veteran hospitalized under this section for a period of more than 30 days files an affidavit with the commanding officer of the hospital to the effect that his annual income, inclusive of compensation or pension, is less than \$1,000, there shall be paid to the dependents of such veteran (commencing with the expiration of such 30-day period and to be payable) during the period of any further continuous hospitalization and for two calendar months thereafter the following amount of compensation:

"(a) If there is a wife but no child, \$30 per month;

"(b) If there is a wife and one child, \$40 per month, with \$6 for each additional child;

"(c) If there is no wife but one child, \$20 per month;

"(d) If there is no wife but two children, \$30 per month;

"(e) If there is no wife but three children, \$40 per month, with \$6 for each additional child.

"For the purposes of this section the Spanish-American War shall be construed to mean service between April 21, 1898, and July 4, 1902, and the term "veteran" shall be deemed to include those persons retired or otherwise not dishonorably separated from the active list of the Army or Navy."

"Sec. 15. That subdivision (15) of section 202 of the World War veterans' act, 1924, as amended (sec. 489, title 38, U. S. C.), be hereby amended to read as follows:

"(15) That any person who is now receiving a gratuity or pension from the United States under existing law shall not receive compensation under this section unless he shall first surrender all claim to further payments of such gratuity or pension, except as hereafter provided and in subdivision (7) of section 201: *Provided*, That in the event of surrender of pension as hereinbefore set forth, any disability incurred in the military service of the United States, by reason of which said pension would be payable, shall be evaluated in accordance with the provisions of subdivision (4), section 202, and shall be payable as compensation under this act: *Provided further*, That such compensation rating shall be combined with any other compensation rating awarded by reason of active service in the World War."

"Sec. 16. That section 206 of the World War veterans' act, 1924, as amended (sec. 495, title 38, U. S. C.), be hereby repealed.

"SEC. 206. That no compensation shall be payable for death or disability which does not occur prior to or within one year after discharge or resignation from the service, except as provided in section 200 of this act, and except where there is an official record of the injury during service or at the time of separation from active service, or where prior to April 6, 1930, satisfactory evidence is furnished the bureau to establish that the injury was suffered or aggravated during active service. Where there is official record of injury during service, compensation shall be payable in accordance with the provisions of this title, for death or disability whenever occurring, proximately resulting from such injury."

"Sec. 17. That section 200 of the World War veterans' act, 1924, as amended (sec. 498, title 38, U. S. C.), be hereby repealed.

"SEC. 209. That no compensation shall be payable and that (except as provided by subdivision (10) of sec. 202 hereof) no treatment shall be furnished unless a claim therefor be filed in case of disability within five years after discharge or resignation from the service, or in case of death during the service, within five years after such death is officially recorded in the department under which he may be serving: *Provided, however*, That where compensation is payable for death or disability occurring after discharge or resignation from the service, claim must be made within five years after such death or the beginning of such disability.

"The time herein provided may be extended by the director up to April 6, 1930, for good cause shown. If at the time that any right



accrues to any person under the provisions of this title such person is a minor, or is of unsound mind or physically unable to make a claim, the time herein provided shall not begin to run until such disability ceases." ]

"SEC. 18. That section 210 of the World War veterans' act, 1924, as amended (sec. 499, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 210. That no compensation shall be payable for any period more than one year prior to the date of claim therefor, nor shall increased compensation be awarded to revert back more than six months prior to the date of claim therefor: *Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924.* Except in case of fraud participated in by the beneficiary, no reduction in compensation shall be made retroactive. *This section, as amended, shall be effective as of June 7, 1924.*"

"SEC. 19. That section 212 of the World War veterans' act, 1924, as amended (sec. 422, title 38, U. S. C.), be hereby amended by adding thereto the following proviso: *'Provided further, That where death occurs subsequent to June 7, 1924, as a result of a disease or injury for which the veteran was entitled to compensation by virtue of an accrued right under the war risk insurance act, as amended, his dependents shall be entitled to the compensation provided by section 201 of this act: Provided further, That an application for compensation under the war risk insurance act, as amended, shall be deemed to be a claim for compensation under this act, and an application for compensation under the provisions of this act shall be deemed to be a claim for compensation under all subsequent amendments to said act, this proviso to be effective as of June 7, 1924.'*

"SEC. 20. That a new section be added to Title II of the World War veterans' act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 214, and to read as follows:

"Sec. 214. Where an incompetent veteran receiving disability compensation under the provisions of this act disappears, the director, in his discretion, may pay to the wife, child, or children of such veteran the amount of compensation provided in section 201 of the World War veterans' act, 1924, as amended, for dependents of veterans."

"SEC. 21. That section 301, paragraphs 3 and 4, of the World War veterans' act, 1924, as amended (sec. 512, title 38, U. S. C.), be hereby amended to read as follows:

"In case where an insured whose yearly renewable term insurance has matured by reason of total permanent disability is found and declared to be no longer permanently and totally disabled, and where the insured is required under regulations to renew payment of premiums on said term insurance, and where this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there shall be given such insured an additional period of two years from the date on which he is required to renew payment of premiums in which to reinstate or convert said term insurance as hereinbefore provided: *Provided, That where the time for conversion has been extended under the second paragraph of this section because of the mental condition or disappearance of the insured, there shall be allowed to the insured an additional period of two years from the date on which he recovers from his mental disability or reappears in which to convert.*

"The insurance, except as provided herein, shall be payable in 240 equal monthly installments: *Provided, That when the amount of an individual monthly payment is less than \$5, such amount may, in the discretion of the director, be allowed to accumulate without interest and be disbursed annually.* Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for refund of premiums, cash, loan, paid-up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries without the consent of such beneficiary or beneficiaries, but only within the classes herein provided."

"SEC. 22. That the last proviso of section 304 of the World War veterans' act, 1924, as amended (sec. 515, title 38, U. S. C.), be hereby amended to read as follows: *'And provided further, That, except as provided in section 301 of the World War veterans' act, as amended, no yearly renewable term insurance shall be reinstated after July 2, 1927.'*

"SEC. 23. That section 307 of the World War veterans' act, 1924, as amended (sec. 518, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 307. All [such] contracts or policies of insurance heretofore or hereafter issued, reinstated, or converted shall be incontestable [after the insurance has been in force six months] from the date of issuance, [or] reinstatement, or conversion, except for fraud, [or] nonpayment of

premiums, or on the ground that the applicant was not a member of the military or naval forces of the United States, and subject to the provisions of section 23: *[Provided, That a letter mailed by the bureau to the insured at his last known address informing him of the invalidity of his insurance shall be deemed a contest within the meaning of this section:]* *Provided, That the insured under such contract or policy may, without prejudicing his rights, elect to make claim to the bureau or to bring suit under section 19 of this act on any prior contract or policy and, if found entitled thereto, shall, upon surrender of any subsequent contract or policy, be entitled to payments under the prior contract or policy: Provided further, That this section shall be deemed to be [in effect] effective as of April 6, 1917, and applicable from that date to all contracts or policies of insurance.'*

"SEC. 24. That section 311 of the World War veterans' act, 1924, as amended (sec. 512b, title 38, U. S. C.) be hereby amended to read as follows:

"SEC. 311. The director is hereby authorized and directed to include in [the] United States Government life (converted) insurance [policy] policies provision whereby an insured, who is totally disabled as a result of disease or injury for a period of [twelve] four consecutive months or more before attaining the age of 65 years and before default in payment of any premium, shall be paid disability benefits [under the contract as though he or she were permanently and totally disabled] at the rate of \$5.75 monthly for each \$1,000 of converted insurance in force when total disability benefits become payable. The amount of such monthly payment under the provisions of this section shall not be reduced because of payment of permanent and total disability benefits under the United States Government life (converted) insurance policy. Such payments shall be effective as of the [date of beginning of total disability] first day of the fifth consecutive month, and shall be made monthly [in accordance with the terms of the contract] during the continuance of such total disability. Such payments [under this section] shall be [made] concurrent with or independent of [any other benefit provided in the contract, and during the period of such payments all premiums on such insurance shall be waived] permanent total disability benefits under the United States Government life (converted) insurance policy. In addition to the monthly disability benefits the payment of premiums on the United States Government life (converted) insurance policy and for the total disability benefits authorized by this section shall be waived during the continuance of such total disability. Regulations shall provide for reexaminations of beneficiaries under this section; and, in the event that it is found that an insured is no longer totally disabled, the waiver of premiums and payment of benefits shall cease and the [provisions of the] United States Government life (converted) insurance policy, [with reference to permanent total disability shall apply: Provided, That the] including the total disability provision authorized by this section, may be continued by payment of premiums as provided in said policy and the total disability provision authorized by this section. Neither the dividends nor the amount payable in any settlement under any United States Government life (converted) insurance policy shall be decreased because of disability benefits granted under the provisions of this section. The payment of total disability benefits [of this section] shall not prejudice the right of any insured, who is [otherwise permanently] totally and [totally] permanently disabled [Provided further, That the] to total permanent disability benefits [of this section shall only be granted upon application made by the insured at the time of the original application for] under his United States Government life (converted) insurance policy: [or after such application at any time during the life of the contract, upon] *Provided, That the provision authorized by this section shall not be included in any United States Government life (converted) insurance policy heretofore or hereafter issued, except upon application, payment of premium by the insured, and proof of good health satisfactory to the director. The benefits granted under this section shall be on the basis of multiples of \$500, and not less than \$1,000 or more than the amount of United States Government life (converted) insurance in force at time of application. The director shall determine the amount of the monthly premium [necessary] to cover the benefits of this section, and in order to continue such benefits in force the monthly premiums shall be payable until the insured attains the age of 65 years or until the prior maturity of the policy. In all other respects such monthly premium [must] shall be [paid by the insured] payable under the same terms and conditions as the regular monthly premium on [his] the United States Government life (converted) insurance [contract] policy.'*

"SEC. 25. This amendment shall not affect rights which have accrued under the World War veterans' act, 1924, as amended, prior to the approval of this amendatory act, but all such rights shall continue and may be enforced in the same manner as if said amendatory act had not been approved."

[H. Rept. 874, pt. 2, 71st Cong., 2d sess.]

AMEND WORLD WAR VETERANS' ACT, 1924

Mr. RANKIN et al., from the Committee on World War Veterans' Legislation, submitted the following minority report (to accompany H. R. 10381):

We have read with interest the majority report on this bill.

It is amazing for its inconsistencies and amusing for its attacks on the Rankin bill (H. R. 7825).

It reveals to the world what we members of the committee already knew; that is, if it had not been for our fight for the Rankin bill the chances are there never would have been any bill reported. This so-called Johnson bill would never have seen the light of day. In fact, the majority report is more an attack on the Rankin bill than it is an argument in favor of the so-called Johnson bill.

The reason for this is evident. The veterans wanted, and still want, the Rankin bill. It was supported from the beginning by the disabled veterans of the World War and by American Legion posts throughout the country. It has practically the unanimous indorsement of our disabled veterans whether they come within its provisions or not.

Hon. Thomas Kirby, legislative chairman of the Disabled American Veterans of the World War, and Hon. William J. Murphy, of California, national commander of that organization, gave the Rankin bill their unqualified and enthusiastic support. Hon. Watson B. Miller, chairman of the national rehabilitation committee of the American Legion, stated on the witness stand that while the question had not been passed upon by the national organization of the American Legion, he personally favored certain features in the Rankin bill.

The American Legion of the State of Pennsylvania passed resolutions favoring its passage.

In fact, this bill (H. R. 7825) expresses the wishes of the ex-service men throughout the country, as well as the wishes of the American people as a whole. We make this statement in answer to the propaganda that has been whispered around by those opposing the Rankin bill in order to try to build up sentiment against it.

Three times on the first three pages of this majority report they take as a typical case coming under the Rankin bill a veteran with the gout. From reading this report one would think that our uncompensated disabled veterans are suffering largely from gout. The chances are that fewer of our disabled ex-service men are suffering from the gout under the present administration than from any other known malady. And yet the majority members of the Veterans' Committee, judging from their report, seem to be laboring under the impression that one of the general ailments of our uncompensated disabled veterans is that of gout.

Their report goes on to show that under certain imaginary conditions a World War veteran who broke down in 1929 could receive as much as \$225 a month. The same thing is happening under the present law, and the same thing would happen under the Johnson bill if he broke down in 1924—even if he had had the gout.

It is also stated in this majority report that the Rankin bill is not sustained by medical testimony. That statement is incorrect. The reading of the hearings will show that the provisions of the Rankin bill are as well sustained by medical testimony as are the provisions of this so-called Johnson bill.

But the majority report shows that the Rankin bill would provide a pension instead of compensation. If so, the Johnson bill would, too. After all, what does a disabled veteran, who is penniless and whose wife and children are hungry and in distress—what does he care whether you call it a pension, compensation, or retirement pay, so long as it pays the bills?

Even the Johnson bill recognizes our obligations to those veterans who broke down after 1925 by paying the families of those in hospitals a small compensation, which is not sufficient to take care of them, while refusing to pay a penny of compensation to the veteran himself. It also penalizes the wives and children even of those veterans who are unable to go to a hospital, or who are unwilling to leave their wives and children without support and are increasing their maladies by staying at home and attempting to earn a livelihood for them with their own hands.

We are not opposing the Johnson bill, as far as it goes, in taking care of our disabled veterans; but we submit that it is at best a pitiable substitute for the Rankin bill (H. R. 7825), which would have extended the presumptive period for tuberculosis and for other chronic constitutional diseases to January 1, 1930, and thus have brought relief to approximately 80,000 of our uncompensated disabled veterans, who gave the best they had in defense of their country and who are now unable to defend themselves.

The Rankin bill, according to the testimony of the Director of the Veterans' Bureau, would cost approximately \$44,000,000 a year, which is considerably less than the estimate which the writer of the majority report has placed upon the so-called Johnson bill.

The Johnson bill shuts the door of hope in the face of the disabled man who tried to carry on until after 1925 without making complaint, even though he may now be in the last stages of tuberculosis which owes its origin to his services in the World War.

We proposed an amendment to the Johnson bill to extend the presumptive period to January 1, 1930, for tubercular men alone, but that was rejected.

We then proposed one to extend the presumptive period for tubercular men alone to January 1, 1930, and to pay those placed on the roll by presumption only 60 per cent of the regular schedule of pay under the present law. That was rejected by the majority members of the committee.

We then went so far as to propose an amendment that would extend the presumptive period for tubercular men alone to January 1, 1928, and to pay them only 60 per cent of the schedule of pay, and to our surprise they rejected that.

Surely the fear of compensating some one with the gout did not arise in the minds of the majority of the committee when they were voting down these amendments that would have carried relief to our uncompensated disabled tubercular veterans, many of whose disabilities are of service origin.

We owe a lasting debt of gratitude to these men which we can only pay, or partially pay, by passing some such legislation as the Rankin bill to extend the presumptive period to 1930. To that end we have dedicated our efforts, and we expect to continue our fight until that goal is achieved.

Since the so-called Johnson bill has been inserted in full in the majority report, we here insert the Rankin bill (H. R. 7825) for the convenience of those who read this report.

H. R. 7825, Seventy-first Congress, second session

"A bill to amend the World War veterans' act, 1924

"Be it enacted, etc., That section 200 of the World War veterans' act, 1924, be amended as follows:

"Sec. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided, but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who, on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have, or, if deceased, to have had, prior to January 1, 1930, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, a chronic constitutional disease or analogous disease, particularly all diseases enumerated on page 75 of the schedule of disability ratings of the United States Veterans' Bureau, 1925, or amoebic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, a chronic constitutional disease or analogous disease, particularly all diseases enumerated on page 75 of the schedule or disability ratings of the United States Veterans' Bureau, 1925, or amoebic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1930, if the facts in the case substantiate his claim;

"Sec. 2. Sections 206 and 209 of the World War veterans' act, 1924, as amended, are hereby repealed.

"SEC. 3. These amendments shall take effect and be in force from and after the date of their enactment."

We understand that an effort will be made to bring this so-called Johnson bill up under suspension of the rules, which would shut off all chances for amendments. We sincerely trust that instead of pursuing that course, the Rules Committee will report a rule giving the



House a reasonable time in which to debate this measure, and allowing us opportunity to offer amendments to perfect it so as to take care of those uncompensated disabled men who are excluded by its present provisions, and thereby make it conform to the wishes of the ex-service men throughout the country as well as to the will of the American people in general.

Respectfully submitted.

J. E. RANKIN.  
LAMAR JEFFERS.  
WILLIAM P. CONNERY, JR.  
MARY T. NORTON.  
EDGAR HOWARD.  
WRIGHT PATMAN.

[H. Rept. No. 874, pt. 3, 71st Cong., 2d sess.]

AMEND WORLD WAR VETERANS' ACT, 1924

Mr. LUDLOW, from the Committee on World War Veterans' Legislation, submitted the following minority report (to accompany H. R. 10381):

In my opinion H. R. 10381 is an excellent measure but too limited in scope. I am for the Rankin bill because I believe it would take in many most urgent and worthy cases that can not be reached by H. R. 10381. I am for the Rankin bill frankly because the extension of service-connection presumption until January 1, 1930, which is the cardinal feature of that measure, would bring 86,000 veterans into a compensable status who are now beyond the pale of the law. It would do this clumsily and illogically, perhaps, but I believe it would do it effectively. I concede that in some instances the service connection which it would establish would be a legal fiction, but it is better that now and then a worthy, disabled veteran should receive compensation by a legal fiction than that thousands who are entitled to service connection should be denied.

If I needed a sustaining prop to bear me up in this theory, I would find it in the valuable and constructive testimony given by Director Frank T. Hines before our committee. His broad-minded attitude reflected the experience of seven years of able and conscientious administration of the Veterans' Bureau under most trying circumstances. He did not indorse any particular measure in his testimony, but repeatedly he dwelt upon the Nation's obligation to render aid to veterans based on their "needs." While he saw pensions as the inevitable final outcome, he thought that the Congress and country probably are not yet ready for that step, but as an equitable relief measure for immediate consideration he went so far as to recommend compensation for all veterans who are disabled and in need, with a 20 per cent increase for those whose disabilities are directly chargeable to service. In view of this testimony from the man whose vision takes in the broad sweep of veterans' problems from every angle I can not feel that the canons of propriety and morals will be very grievously violated if now and then we give relief to a sick, disabled veteran by legal fiction.

It is a significant fact that Capt. Thomas Kirby, legislative representative of the Disabled American War Veterans, has given his public indorsement to the Rankin bill. He is a qualified witness, known and beloved throughout the country for his devotion to the disabled veterans. In conversation with outstanding leaders of other veterans' organizations I have found them generally sympathetic with the purposes of the Rankin bill. In so far as sentiment has crystallized I believe it is the choice of the rank and file of World War veterans.

In the hearings much was said about what other countries are doing in the matter of veterans' relief, but all of that testimony was quite beside the mark. America never has shaped its beneficences to its veterans by any foreign standards, and it never will. It could not do so without being guilty of inexcusable shortcomings, for America is the richest Nation on the globe and the most able to treat its defenders generously. A glimpse at the tables in the annual report of the Commissioner of Pensions will show that it always has been so. To the pensioners in the State of Indiana alone the Government pays twenty times the amount paid by all of the foreign countries in the world to their pensioners.

The heart of America approves this liberality to the soldiers, their widows and children. The Nation's debt to its defenders is its first and most important debt of honor. In the interest of greatest justice to the veterans the Rankin bill should pass.

LOUIS LUDLOW.

As will be seen, they outline every provision of the bill, and I am very shortly going to discuss some of the salient features. Perhaps the greatest change in existing law is that provision extending the presumption of service connection in all cases of disability contracted by disease prior to January 1, 1925. That is not justifiable in one respect, but it is justifiable from another standpoint. In one of the laws we passed Congress provided that presumption of service connection in respect to spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, and dysentery. That law was not scientifically framed. There was no particular reason why those particular diseases should have been given a preference over other diseases, and this measure simply brings all diseases to the same

plane as the diseases which are already presumptive. For the first time in this legislation we find a recognition of battle casualties. There is a provision in the law that those who have lost an arm or a leg between the dates of April 6, 1917, and November 11, 1918, shall receive \$25 per month. There is much justification for that provision. It is possible that the same thing could have been done by the Veterans' Bureau by a rating table, but it seemed a better way to establish that rule by legislation.

One other thing that is vital in this bill is the assembling of the records of the World War. There are 15,000,000 pieces of paper scattered throughout the world which contain part of the records of service men, and they ought to be collected in one place so that every disabled man may have the benefit of and an opportunity to examine the official records with reference to himself. It is going to cost a few million dollars to do this, but it is due those men that these papers be collected. As I say, they are scattered all over the world and they will be brought back to Washington. There is another provision of this law which in many ways is unscientific.

You will recall that the Congress of the United States provided great hospital facilities for service-connected cases, and then provided that if there were vacant beds those beds could be used for non-service-connected cases. Forty per cent of the load to-day is non-service-connected cases. Those men have been brought into hospitals, and they have not received compensation. They have felt they should receive something. As a result of this we find a provision that if a man is hospitalized with a non-service-connected case his dependents will receive a certain allowance if the man is needy. We may as well face the fact that that is a pension for dependents when the man himself does not secure a pension. There was great demand for the enactment of this particular provision and we have placed it in the bill.

Also, you will find in the bill a provision affecting Spanish War veterans. The official date of that war and the date of the war as set out in pension legislation varies by two years. We have provided that the later date shall apply to Spanish War veterans, so that they may be hospitalized.

One thing that we have noted in the administration of the law has been that there is great disagreement sometimes between the Comptroller General and the Director of the Veterans' Bureau. Some of us have felt that there should be one responsible bureau charged with the construction of this law, and that it is not good administration that the director could take one state of facts and construe the law in a certain way, and then that the comptroller could take the same state of facts and construe the law differently. By the enactment of this proposed law the comptroller is taken from the picture, except as to the actual accounting, the figuring of accounts, and the director will be the final authority.

One provision that you will find in this statute which has never been in any statute proposed by the Committee on Veterans' Legislation heretofore is the 3-year limitation. That limitation is attached to section 200 of the proposed law, and it provides that no man who receives the "presumption" under this statute shall be given any vested right in the compensation he shall receive. In other words, we admit, in bringing this law before the House, that the laws as now drawn are not scientific and equitable, and we have inserted in this law a provision to the effect that such cases shall be taken care of only for three years, until Congress can cause a survey to be made and can amend the existing law. I do not think there is objection from any source to this particular provision. It would be useless, however, to insert it if we did not make such a survey and investigation, and therefore on January 21 of this year I submitted to the Committee on Rules a resolution, H. Res. 222, providing for an additional investigation to cover veterans of all wars and their dependents. The present existing legislation has been proposed by different committees, and under different administrations, and it is necessary for us to lay down a national policy. At this point I will insert the resolution 222 which I presume the Committee on Rules will report to this body for consideration:

House Joint Resolution 222

Joint resolution for the appointment of a joint committee of the Senate and House of Representatives to survey and investigate the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war

Resolved, etc., That a joint committee, composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall make a survey and investigation and report recommendations by bill or otherwise to their respective Houses



relative to the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war.

You will notice this resolution provides for a survey. If this were not done, the President might be justified in vetoing this legislation, because we are opening an avenue for the payment of a straight pension, in some cases amounting to \$225 a month, for men who should not receive that amount.

One of the inconsistencies and absurdities consequent upon this provision will be that a young man who enlisted in the Army on July 1, 1921, two years after the war, can still get some disease in 1924 and will in some cases receive a straight pension of \$225. The whole subject should be looked into and thoroughly worked out, and a policy adopted on which we can stand in the future.

I will say that this bill is not drafted exactly as I would draft it. If I were drafting this statute, I would draft it somewhat differently.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield there?

Mr. JOHNSON of South Dakota. Yes.

Mr. WOODRUFF. Will not the gentleman itemize the amounts that would make up that \$225 pension per month?

Mr. JOHNSON of South Dakota. Yes; I will be glad to do that, because it should be done.

The hospitalization of one of these men costs the Government \$120 on the average per month, so that under this bill, in the case of a man who enlisted on July 1, 1921, two years after the World War, in case he should go to a hospital it would cost the Government \$120 a month for his hospitalization. He would then be rated as temporarily totally disabled, for which he would receive disability compensation from the Government in the sum of \$80 a month, and he might also receive for his dependents a sum that would amount to \$220 a month, depending on the number of his dependents.

That is not scientific. There are many of these inequalities. This gives the same compensation to cases of actual service connection as to cases that are only presumptively service connected. In my judgment that should not be done. In other cases the highest allowances are given to some and not to others. If a man is fortunate enough to be sent to a hospital, it costs the Government \$120 a month, and while he is there an allowance is given to his dependents, whereas another man who is not sent to a hospital does not cost the Government \$120 a month for hospitalization and nothing is given to his dependents.

Again there has been unfair treatment because of the law passed a couple of years ago relating to retirement pay of emergency officers. I may say that I was opposed to that bill in the House at the time of its enactment and I am still opposed to it. [Applause.] Naturally my sympathies would have been with those men, because it is only 13 years since I was one of them, a second lieutenant of Infantry, and I know something about it by personal experience. I know you can not pay everybody in the service for 30 per cent disability, and such matters as those I have here outlined should be equalized. Preferences have been given to men afflicted with tuberculosis, so that they receive \$50 a month if arrested. If it is fair to give one group a presumptive payment of \$50 a month, it would be fair to give other groups the same. Therefore there should be a survey.

Now a man was just as much injured if he was injured in the Civil War or in the Spanish-American War as in the World War. There should be some committee having jurisdiction of these matters which could make a general survey and lay down a future veteran's policy of the country on which we can stand. I have simply pointed out some of the inequalities that have grown up under the present laws.

Now there are some people who contend that the Government has never done anything for the ex-service men. To controvert that contention I submit that we are spending half a billion dollars a year at present, and I shall go into that further in the course of this talk. The Government has done other things for the service men.

Following are some of the provisions of existing law for ex-service men over and above those with reference to the payment of compensation when a service-connected disability is established:

First. Free examination and transportation with meal and lodging requests to the nearest office are granted those filing claim for disability.

Second. Physical examination, free of charge, given to such claimants and such examinations include reports on all necessary X ray and technical medical tests of the highest type.

Third. In the event hospital facilities are available and such a veteran is in need thereof, he is entitled to transportation to and from the hospital, necessary treatment and upkeep

while hospitalized, including free clothing, or artificial limbs if necessary and financial need is shown.

Fourth. He is eligible to carry Government insurance up to the amount of \$10,000, the lowest rate at which insurance has ever been sold, the insurance carrying a provision for permanent and total disability, and if said disability is traceable to service, the Government paying the cost of this provision.

Fifth. Adjusted-compensation certificates (bonus) have been granted based on the length of service of each veteran.

Sixth. In connection with civil-service positions, all veterans have a preferred classification and a 5 per cent rating is added to the grade made by the veteran in examination.

Seventh. An employment bureau in the Department of Labor has been established, the duties of which is to assist all ex-service men in securing employment.

Eighth. Homestead rights to certain lands have been granted by the Government to veterans.

Ninth. Special rights under immigration laws are given.

Tenth. Under certain conditions, payment of funeral and burial expenses are provided and a flag is furnished to drape the casket.

A bonus was given to the man when he left the service. A law was passed granting patent extensions to men who were in the service. Anyone who says that Congress has not done anything for the ex-service man should consider the laws to which I have referred; and I have not yet taken up or discussed the compensation allowance. These are things that have been done, to which no one has ever called attention, and many people have not thought about.

As the Government's chief agency for administering veteran relief, the United States Veterans' Bureau to-day is carrying on the most enormous program ever devised by a grateful Nation to care for its disabled veterans. Its hospital activities alone transcend in volume and completeness anything ever known in the world, and its beneficiaries outnumber any group which has ever been the subject of special legislation of this nature.

Maintaining and operating 47 hospitals in different sections of the country and utilizing other governmental as well as civil institutions, the bureau is at present hospitalizing 30,916 veterans and is furnishing medical treatment, outside of hospitals, to nearly 70,000 monthly. During the past seven years, the construction of 22 new hospitals has been completed and three permanent hospitals purchased, furnishing 11,500 additional beds. To-day, 4,000 additional beds at 14 hospitals are under construction, and, over and above these, 4,000 more beds are being planned. More than 80,000 admissions to these hospitals are reported each year.

Yet to-day, a subcommittee of the Veterans' Committee, the chairman of which is the distinguished lady from Massachusetts [Mrs. ROGERS] is hearing 26 different States who are demanding 26 more hospitals at the present time, each one of them apparently not caring one iota about the total load or necessity of hospitalization, so long as they secure their particular individual hospital.

Mr. EVANS of Montana. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will yield for a question.

Mr. EVANS of Montana. The gentleman from South Dakota suggested that the subcommittee is contemplating the establishment of 26 more hospitals.

Mr. JOHNSON of South Dakota. No. I said they were having hearings.

Mr. EVANS of Montana. Is not the gentleman in error when he says there are 26 more? There is one in my State, but it is only an enlargement of a hospital that is already there.

Mr. JOHNSON of South Dakota. Perhaps I did not make that clear. Some are additions, but the practical effect is an additional hospital.

Through its 54 regional offices and central office the bureau is handling 364,647 active compensation awards, requiring payments of nearly \$17,000,000 monthly, and 163,445 insurance awards, requiring monthly payments of over \$12,000,000.

Through its legal service the bureau exercises supervisory authority over the accounts of fiduciaries and the management of the estates of its minor or incompetent beneficiaries. Dishonest or unfit guardians have been weeded out and thousands of dollars have been recovered for these dependent wards of the Government.

Nearly three and one-half million adjusted-compensation certificates have been issued to veterans and nearly 2,000,000 direct loans made to them on the security of these certificates, as well as over 2,000,000 loans upon Government insurance policies. There are at present outstanding over 684,000 Government life-insurance policies, representing an ultimate obligation of the Government amounting to over \$3,000,000,000, while total disbursements of the bureau for all purposes now total well over \$5,000,000,000.



I think it might not be amiss if I should say something about the sort of man who is at the head of the Veterans' Bureau. I have taken the trouble to find out something about his career.

It is very easy to abuse certain organizations connected with the Government. All of you gentlemen know that the custom is always to abuse Congress as a whole; not the individual Members of the House. Anyone who wants to find fault with anything or to cartoon anything can always find it easy to abuse this body. We all take it philosophically because we know it is one of the great American sports and pastimes, and we have no objection to it, although, if a personal attack is made, perhaps like all individuals, we have the habit of resenting things that are said personally.

The same custom has grown up in this body and in the United States of abusing the Veterans' Bureau on every conceivable occasion. Anyone who wishes to find fault about anything has found it very convenient to abuse the bureau, although one man out of nine is on the compensation list. They do not realize that sometimes they are abusing some of the most eminent citizens of this country. During all of this time not one personal attack has been made upon Gen. Frank T. Hines, head of the Veterans' Bureau. Everyone takes this floor and convention floors and abuses the bureau for about a half hour and then says, "We think the general is a great man," and they all compliment him.

This Record is full of that kind of thing. I do not think General Hines will always remain in the service. My judgment is that any man who is Director of the Veterans' Bureau ought to get out of the Government service. It is the second most difficult job in the United States, the first one being the President.

I could discuss this gentleman at great length, and I am going to discuss him as I extend my remarks, but, I have wanted to take this opportunity to pay tribute to a man who has one of the most difficult positions in government since 1923, and who took that position after we had had four directors in a short time, with the result that you are all familiar with. [Applause.] He did not seek the office. He was drafted for it. When he tried to resign one time he was redrafted. I hope he continues in the service while we try to work out this legislation. [Applause.]

Much has been said about the cost of operation of this bureau. It costs money to conduct it. Of course it does.

In view of the immensity of this organization, the varied and important nature of its responsibilities, and the special interest of the Nation in its beneficiaries, I would have you know what manner of man is responsible for its proper functioning and for the judicious and legitimate expenditure of these huge allotments of Government funds.

We see him to-day as a brigadier general and director of the largest single agency in the whole governmental system, but if we look back over the years of his exceptionally brilliant career we see a lad in his early teens toiling patiently in the hills of his native State of Utah—"water corporal" for the miners—waiting on tables in the camps, filling in with any odd jobs available, and hoarding his hard-earned dollars to make a dream come true—college and an engineering degree.

We see him next at the Utah Agricultural College, only 18 years old—but already in his second year—and captain of the artillery cadet corps, when the whole country was aroused by the call to "Remember the Maine." The boy's personal response was immediate and earnest, but on account of his youth he could not enlist without his parents' consent, which naturally they were reluctant to give. However, his father, convinced of the sincerity of his appeals and aware of the boy's inherent integrity of purpose, was finally won over by his importunities, and the 18-year-old cadet joined Battery B of the First Utah Volunteer Artillery and sailed for the Philippines.

Sergeant, then first sergeant, participating in all the active engagements of that organization before the fortifications of Manila and in the Philippine insurrection, Frank T. Hines was commissioned on the field a second lieutenant of the Utah Field Artillery when he was only 19 years old, the youngest Artillery officer in the service. He was recommended for the congressional medal of honor for distinguished service performed in action against the Spanish on the night of July 31–August 1, 1899, and was mustered out of the Federal service with his battery on August 16, 1899, a veteran with a distinguished record at 20.

The significance of the record, however, is not merely military. Its deeper meaning reveals the heart and mind of the man, the courage, fidelity, and devotion to duty, the faculty of alert analytical consideration of every phase of a problem, and the diligent, unswerving pursuit of its solution. It was the demonstration of such characteristics as these that brought to young Hines, then serving as clerk of the third judicial district

court in Salt Lake City, an offer of an appointment in the Regular Army, and after successfully passing the entrance examination he was appointed as a second lieutenant of the Coast Artillery September 20, 1901.

Graduating with honors from the Coast Artillery School and later from the advanced course with a degree in electrical and mechanical engineering, Lieutenant Hines became a recognized authority on Coast Artillery matériel and fortifications, his book, *The Service of Coast Artillery*, being used for years as a textbook and still considered a standard work notwithstanding the radical changes brought about in ordnance matériel generally by the last war.

In June, 1914, Captain Hines was granted leave of absence to go abroad for the Bethlehem Steel Corporation as technical advisor on coast defense to the Greek Government. When war was declared on Germany, he immediately started home to join his corps, but was intercepted with instructions to report to the American ambassador in Rome to take charge of the embarkation of American citizens en route to this country. Within a period of two months, Captain Hines chartered and fitted out ships returning over 3,100 American citizens safely to the United States, winning especial commendation from the State Department for this service.

Promotions followed rapidly and in January, 1918, Colonel Hines was made chief of the Embarkation Service of the War Department, in which capacity he was responsible for the development of an organization which carried 2,082,000 soldiers safely to Europe in 18 months and after the war returned them in 8 months. On April 18, 1918, Colonel Hines, by now a brigadier general, accompanied the Secretary of War abroad, appearing before the Interallied Transport Council in London and also in France, in connection with transportation matters. In 1919, he negotiated the Reading-Hines agreement, covering settlements for transportation service as well as similar agreements with France.

Upon the termination of the war, General Hines was the recipient of honors and orders from his own and foreign countries and was rewarded for his exceptional service in the Army by being appointed brigadier general in the Regular Army. In 1920 he resigned to participate in the movement for the establishment of an American merchant marine, but his Government called him back to its service in 1923, when he was appointed to the Directorship of the United States Veterans' Bureau, a position of infinite and burdensome responsibility and precarious honor, in which he had been preceded by four other directors within the nine tempestuous years of the bureau's existence.

During the several chaotic years immediately subsequent to the armistice governmental provision for the relief of its disabled service men was a sore and much discussed subject and its principal agency, the United States Veterans' Bureau, the object of criticism, vehement, and often virulent. As a result of energetic and prolonged disparagement on the part of the more sensational elements of the press, it had become a mental habit with many to visualize the Veterans' Bureau as a conglomerate mass of inefficiency, confusion, and mismanagement, precariously held together by interminable lengths of red tape.

Gradually, under the administration of General Hines, there developed a new order of affairs. The old fault findings and accusations fell stale and flat, losing their savour and zest in the face of the substantial improvements and steady progress which soon became manifest under the new régime.

We still hear complaints of the Veterans' Bureau. It is probable we always shall. No organization of that size and scope of jurisdiction could possibly function without making some errors and some enemies, but it has become more and more evident throughout the country at large that the Veterans' Bureau is functioning on a sound, efficient, and economical basis, due to the devoted and intelligent directorship of Brig. Gen. Frank T. Hines.

Upon his induction into office General Hines faced the problem of fully developing the Government's program of compensation, hospitalization, and vocational training for all veterans who had been disabled in the service of their country, and some idea of the magnitude of the task may be gained when it is known that applications for benefits have been made for about one of every four of the nearly 5,000,000 men and women who served.

At first hospitalization was provided for only those veterans whose disabilities were incident to service. To-day more than 40 per cent of the patients in Government hospitals are the so-called nonservice cases, for whom medical care is furnished at an approximate annual cost of \$15,000,000. This is a large amount, but the expenditure is balanced by the relief and comfort provided for the veterans by a grateful Nation.

In all the bureau hospitals special provision has been made for the comfort and well-being of the patients. Necessary clothing is furnished to indigent patients, recreational facilities, such



as libraries, radio, and so forth, are provided, and when a veteran dies the bureau is authorized to provide for his proper burial. In addition to the hospital service there is a so-called social service, wherein trained workers contact the veteran and his family in their home, glean any facts or circumstances concerning the patient which might be helpful to him or his family or to the physician attending him. What I am trying to show to you is that a very great degree of the human element has been infused into the service of the Veterans' Bureau under General Hines's administration in an effort to cover as far as possible both the physical and mental needs of the veterans.

Another phase of disability requiring governmental aid were vocational handicaps acquired as a result of military service. Vocational training has cost the country over \$600,000,000, but it has been an investment in citizenship showing large returns in the restoration to economic and social independence of over 128,000 men and women, many of whom otherwise would not have been able to establish themselves in the positions they now fill with competency and contentment. It is one of the most genuinely American things the Government has done for the disabled—this business of helping a man to help himself—and there are few trades or professions which are not now represented by deserving and grateful trainees, many of whom have not only successfully earned a livelihood but honors and distinction besides.

Additional and even more difficult problems presented themselves in connection with monetary compensation. These problems involved not only the disabled veterans themselves and their families, but the families of other veterans who had died. Congress had seen fit to limit payments for disability or death to cases which could be shown to be of service origin, but it soon became apparent that many kinds of disease and results of injury were so gradual and peculiar in development that service origin could be actual while not susceptible of proof. General Hines laid these facts before Congress and the law has been several times amended authorizing broader and more liberal acceptance of service connection without positive proof. Largely as a result of this liberalization of the law and its broad interpretation during the past seven years, the number of active disability compensation awards has increased from 183,000 to 274,000, and the average monthly rate of compensation has risen from \$37 to \$44.

With respect to all claims before the bureau, but particularly those involving determination of service origin of disability or death and the rating of degree of disability controlling the amount of compensation to be paid, adherence to the law is imperative, but General Hines, practically from his induction into office, has insisted that the law be liberally and sympathetically interpreted in accordance with the manifest intent of Congress.

General Hines recognized that there must be differences of opinion upon such perplexing questions. Accordingly, within a year after he took office, he had pronounced as one of the guiding policies of the bureau that a decision once rendered in favor of the veteran was not to be reversed even upon the confident opinion of an expert to the contrary, unless the original decision could be declared a clear error on its face, or a totally ridiculous conclusion which could not be supported upon any sensible theory, and must, therefore, be recognized as a violation of the terms of the law. He has gone even further by declaring as inapplicable to this kind of claims the ordinary rule that the claimant himself must prove his case. He requires the personnel of the bureau to advise and assist the veterans and their dependents in procuring the evidence itself, the constant objective being not merely to ascertain the facts but to search persistently for that proof which will enable the bureau to extend the benefits sought. I could cite you cases where these people have persisted for several years in their search for a missing necessary link of evidence, continuing the quest long after the claimant himself had given it up as hopeless.

There must always be borne in mind the definite limitations which Congress has seen fit to impose, but the effort is always to give a little more rather than a little less, and to resolve in favor of the claimant any reasonable doubt as to his deserts at the hands of a grateful Government.

We hear much of the heartlessness and indifference of organizations and their officials. We hear very little—not nearly enough—of the thousand and one kindly, sympathetic actions of some of these officials we are wont to criticize. I happen to know personally of the forbearance which General Hines has shown in a number of cases, where a veteran smarting under a fancied or perhaps real grievance had threatened and cursed the director and his subordinates, only to be met with a personal interview so completely sympathetic and reassuring as completely to win the confidence and respect of the complaining veteran.

In all matters involved in veteran relief General Hines's personal attitude has always been one of sympathy and solicitude for the veterans—all veterans—and there has been no diminution of his interest or his efforts during the seven years of his service in their behalf.

The diversity of his achievements, the unfailing fidelity and efficiency manifest in these many and varied activities are indicative of the infinite capacity of the man for diligent and effective service, while his generous recognition and consideration of the rights and opinions of others bespeaks tolerance as wise as it is kindly.

But do not forget that when all these statements have been made the actual truth is that 3.7 is what it costs for overhead, and that only. Of course, it costs money to review these cases. That has been the fault of the law and not the fault of the bureau. On Thursday next I am going to have a typical Veterans' Bureau folder here so you can see the size of some of those folders. Some of them are 2 feet in thickness. Those cases have never been finally adjudicated because we have not provided for a final cut-off. As I say, some of those folders are 2 feet thick, and any one of those cases can be reopened tomorrow if anyone will write a letter to the Veterans' Bureau suggesting that there is a little additional evidence. Then what happens? You must have a claims examiner go through the case, and it will take him two weeks just to read that file. He is probably getting \$40 a month. I can reopen any one of those 300,000 folders by writing a letter saying I have found a man by the name of John Smith who served with the man in question. I found him living in some remote part of the United States, and I think they ought to get his testimony. That is being done all the time. So the suggestion comes to my mind that we should provide a final decision in those cases. There is a statute of limitations on every other human thing in America. So I say we should either provide a cut-off or come to the straight pension system.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. The Veterans' Bureau can now reopen any one of those cases without a suggestion on the part of anybody and rerate a man, reduce his compensation or cut him off entirely.

Mr. JOHNSON of South Dakota. Or increase his compensation, which is done in many cases. That is something we will probably retain as long as we retain service connection, and I do not know how long that will be.

I am going to insert in the RECORD a few short statements giving some of the costs of the bureau, so there will be a future record.

Mr. KVALE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. KVALE. The gentleman has stated there should be a cut-off on these hearings. Before that is done should not the system be changed? I say that because many of these reviews and ratings merely amount to a quotation from the previous action or something of that kind. It is very perfunctory and it is never thorough. That is the fault with the whole procedure, as I have found it time and time again.

Mr. JOHNSON of South Dakota. I do not agree with the gentleman in that. I know the way the gentleman from Minnesota handles his own cases, because I have seen him handle some of his cases. He tries them just like a lawsuit, and if the bureau overlooks one comma or period I know that the gentleman and the Members of this body know about it. So it is not a pro forma procedure, because those cases are really tried.

Now, we all might as well face the fact as to where the battle is coming on this bill. It is going to come on an amendment which I suspect will be introduced by the gentleman from Mississippi or some one else. That amendment will provide for the striking out of the figures "January 1, 1925," in the law and inserting the figures "January 1, 1930." I shall oppose that amendment, and if it is inserted I shall vote against the bill, after making a motion to recommit. I want to give my reasons for doing so in order that no one may misunderstand me.

I am not certain the President will sign this bill as it is, because it is very probable that if certain other legislation is enacted it will require that immediately we repeal the law granting a tax reduction. That is the fiscal situation to-day. If the so-called Rankin amendment is added—although I have no assurance from the White House and have had no statement from the President—I feel certain he will veto the bill, and I believe he would be justified in vetoing it, because, in my judgment, this country can not stand a pension law based on compensation rates which, in many cases, will run to \$225 a month and sometimes to \$250 a month.

Mr. RANKIN. Will the gentleman yield?



Mr. JOHNSON of South Dakota. I am always glad to yield to the gentleman from Mississippi.

Mr. RANKIN. The bill as it is now written is a pension bill up to 1925, is it not?

Mr. JOHNSON of South Dakota. There is no question about that.

Mr. RANKIN. And some of the beneficiaries under the Johnson bill would receive just as much money as anyone would under the Rankin bill.

Mr. JOHNSON of South Dakota. There is no question about it, but the system is unscientific. However, the justification, if there is any, for the passage of this bill is that we have brought the other groups up to the same level with those we have already presumed, the tubercular men, maybe the dysentery cases, and the mental cases. That is the sole justification. In other words, we have equalized them. We have done just what we did with the disabled emergency officers when we brought them up to the same equality with the Regulars.

Mr. CONNERY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CONNERY. In the gentleman's bill, if I understand it correctly, every disease of 10 per cent up to January 1, 1925, is taken care of?

Mr. JOHNSON of South Dakota. Yes.

Mr. CONNERY. It automatically connects the disease?

Mr. JOHNSON of South Dakota. But it is rebuttable.

Mr. CONNERY. It is rebuttable, but every disease comes in.

Mr. JOHNSON of South Dakota. Every disease comes in; yes.

Mr. PERKINS. Will the gentleman yield right there?

Mr. JOHNSON of South Dakota. Yes.

Mr. PERKINS. Will the gentleman inform the committee how many cases that will take care of?

Mr. JOHNSON of South Dakota. The gentleman from New Jersey figured that a moment ago. Has the gentleman those figures here?

Mr. PERKINS. It figures 177,000 cases.

Mr. JOHNSON of South Dakota. That is the estimate we made, and I think it is a fair one.

Mr. RANKIN. Will the gentleman please repeat that?

Mr. JOHNSON of South Dakota. The estimate is 177,000 cases. In other words, this bill—H. R. 10381—the so-called Johnson bill, will cost the Government the first year, in addition to present compensation, about \$100,000,000.

Mr. RANKIN. And the gentleman says it will include 177,000 cases?

Mr. JOHNSON of South Dakota. I do not think there is any question about it. We are paying an average of \$47 a month in these cases and the bill will cost \$100,000,000 a year. In other words, it will connect that number of cases.

Mr. RANKIN. Then the Johnson bill is about three times as broad as the Rankin bill?

Mr. JOHNSON of South Dakota. Oh, I do not think so.

Mr. RANKIN. The Director of the Veterans' Bureau testified that there would be 77,744 men coming under the provisions of the Rankin bill?

Mr. JOHNSON of South Dakota. This is the trouble with all these figures I will say to the gentleman from Mississippi. They have figured this load on the rejected cases. They have not figured on the cases that could arise under the law. As an illustration, let me give you two instances of men right in this body to-day, and we might as well meet the concrete cases.

Along in 1927 I had an accident. As you may recall, I was walking around this body for a long time on crutches, with a cast on my leg. I would be connected under the Rankin bill. Up in the press gallery here is one of the men who has a very outstanding war record, Capt. Leo Sacks, of the Air Service. Captain Sacks went to the Walter Reed Hospital just a few months ago, and under the Rankin amendment, if that were the law, during the time he was there Captain Sacks would receive \$80 a month as compensation and allowances for his dependent family—an absurdity on its face and compensation for which he has not asked.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. The gentleman surely does not want to mislead the House. Neither the gentleman from South Dakota nor the imaginary gentleman he refers to—

Mr. JOHNSON of South Dakota. It is not an imaginary gentleman I am referring to, and I have permission to use his name.

Mr. RANKIN. Neither of you gentlemen would be suffering from a chronic, constitutional disease, and the Rankin bill provides only that those suffering from chronic, constitutional diseases be taken care of.

Mr. JOHNSON of South Dakota. And that means practically every kind of disease.

Mr. RANKIN. The Rankin amendment would not meet the case of the gentlemen referred to.

Mr. JOHNSON of South Dakota. The gentleman's bill includes other cases like gout, pellagra, and other diseases.

Mr. RANKIN. Let me ask the gentleman another question: Is it the gentleman's contention that the Johnson bill will cover more cases than the Rankin bill would cover up to 1925?

Mr. JOHNSON of South Dakota. Yes; it will, because we have treated all veterans alike, and we include all of them, while the bill of the gentleman from Mississippi only took certain diseases. It took probably three-fourths of those covered by the so-called Johnson bill.

Mr. RANKIN. The Johnson bill, then, would cover one-third more cases up to 1925 than the Rankin bill?

Mr. JOHNSON of South Dakota. Perhaps one-fourth more, because it treats all veterans and all diseases alike.

Mr. RANKIN. I just wanted to get the gentleman's idea as to how much broader the Johnson bill is than the Rankin bill.

Mr. JOHNSON of South Dakota. Up to 1925; yes.

Mr. ALLGOOD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Alabama.

Mr. ALLGOOD. I understood the gentleman to say his bill takes care of all disabilities of 10 per cent up to 1925.

Mr. JOHNSON of South Dakota. Yes.

Mr. ALLGOOD. That is, service connected?

Mr. JOHNSON of South Dakota. They are presumed to be service connected. Of course that is rebuttable, but as a matter of practical operation you can not rebut the claim that the man received his disease in the service.

Mr. EATON of New Jersey and Mr. MICHENER rose.

Mr. JOHNSON of South Dakota. I yield first to the gentleman from New Jersey.

Mr. EATON of New Jersey. The gentleman says it is presumed to be connected.

Mr. JOHNSON of South Dakota. Presumed, to have been received in the service up to January 1, 1925.

Mr. EATON of New Jersey. Does the burden of proof lie on the man?

Mr. JOHNSON of South Dakota. No; the burden of proof is on the Government and the Government will not be able to rebut it.

Mr. MICHENER. It is estimated that the Johnson bill will cost over \$100,000,000. What is the estimate of the cost of the Rankin bill?

Mr. JOHNSON of South Dakota. The estimated cost of the Rankin bill, in the beginning, was \$43,000,000. Of course this was entirely inaccurate. The cost of the Rankin bill will be much more than the cost of the Johnson bill, but no one can figure accurately what the exact cost will be, because men have not filed their claims. For instance, if a man had kidney trouble in 1927, he knew he did not receive it in the service and therefore did not file a claim. Another man who got arthritis in 1928 naturally would not file a claim. Therefore you can not tell what the load will be, but I can tell the gentleman, from the figures given by the Veterans' Bureau, what the approximate load would be in the future under these bills.

Mr. KNUTSON rose.

Mr. JOHNSON of South Dakota. I yield to the gentleman from Minnesota.

Mr. KNUTSON. If the gentleman is going to give that information, that will answer my question.

Mr. JOHNSON of South Dakota. The amendment of the gentleman from Mississippi [Mr. RANKIN] undoubtedly will be to strike out the figures "1925" and insert the figures "1930," and the annual cost of that in 1929, based on the experience of the Pension Bureau, it is estimated will be \$426,062,948.

Mr. KNUTSON. Annually?

Mr. JOHNSON of South Dakota. Annually.

Mr. KNUTSON. What is the load carried by the gentleman's bill?

Mr. JOHNSON of South Dakota. I have estimated it on the theory it will cost \$100,000,000 a year, and that is just an estimate, and that is including 177,000 cases.

Mr. KNUTSON. Will the gentleman give the House the minimum and the maximum estimates that have been placed on his bill?

Mr. JOHNSON of South Dakota. There can be no minimum or maximum estimate placed upon it, because no one has been able to say who would file claims up to any period. All we can judge by is the number of claims rejected in the Veterans' Bureau.

Mr. KNUTSON. Is it not fair to assume that everyone of the rejected cases will file under the new legislation?

Mr. JOHNSON of South Dakota. No doubt about it—that is, according to the experience of the Pension Bureau. You can tell about how many will file if the legislation passes.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman.

Mr. BANKHEAD. The gentleman from South Dakota is chairman of the committee and a lot of the Members of the House want detailed information in reference to the bill and have not had an opportunity to get it. The gentleman states that the Rankin bill in his opinion will cost a large amount more than the proposed Johnson bill.

Upon what facts does the gentleman predicate his statement; is it on account of the addition of the extension of time? In other words, if the Rankin bill was limited to 1925 in its provisions, would his bill cost more than the Johnson bill?

Mr. JOHNSON of South Dakota. If it was limited to 1925, the Rankin bill would cost a little less than the Johnson bill. The Rankin bill takes in certain diseases, while the committee bill takes in all men suffering from diseases—it takes them all, which would cost a few more dollars than the Rankin bill.

Mr. BANKHEAD. And therefore the gentleman's conclusion is that the Rankin bill, if adopted, extending the service presumption to 1930, would cost a larger sum than the Johnson bill, owing to the fact that a larger number of men who have broken down between January 1, 1925, and January 1, 1930, would come under the provisions?

Mr. JOHNSON of South Dakota. Certainly.

Mr. LUCE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. LUCE. On pages 16 and 17 of the report accompanying the bill is an attempted discussion of the additional expense as given by the director of the bureau. It should be pointed out that the \$100,000,000, to which reference has been made, includes a considerable amount of expenditure that is not brought in issue by the Rankin amendment. If gentlemen will read pages 16 and 17 of the report, they will satisfy themselves as far as it can be done as to what the difference in expense will be.

Mr. PERKINS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. PERKINS. Will the gentleman inform the committee what the total cost thus far of the Veterans' Bureau has been, and will be up to 1940 under the present law as it exists?

Mr. JOHNSON of South Dakota. I have not those figures with me.

Mr. PERKINS. Does not the gentleman know that it is about \$13,000,000,000?

Mr. JOHNSON of South Dakota. Yes; I recollect now; it is between twelve and thirteen billion dollars as the law now stands.

Mr. DENISON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. DENISON. The gentleman has stated that the presumption under his bill will be rebuttable.

Mr. JOHNSON of South Dakota. Yes; rebuttable, but you can not rebut them.

Mr. DENISON. I had an impression that there was a conclusive presumption in certain diseases.

Mr. JOHNSON of South Dakota. That is in the old law, and not the proposed law.

Mr. MOUSER. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. MOUSER. The gentleman stated that the most of these boys would refile their claims. Is it not a fact that the Veterans' Bureau will automatically, when this law goes into effect, retry all cases that have been rejected?

Mr. JOHNSON of South Dakota. They could do it, and I think public sentiment would demand it.

Mr. ARNOLD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. ARNOLD. Under the existing law a deadline of presumption is January 1, 1925. That is already the line. Is there any reason or logic for that particular time, or is it an arbitrary date?

Mr. JOHNSON of South Dakota. Certainly there was no medical testimony extending it up to 1925.

Mr. ARNOLD. Would not there be just as much reason or logic extending it up to 1930?

Mr. JOHNSON of South Dakota. Yes; or 1932.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. SCHAFER of Wisconsin. The gentleman from Ohio called attention to the fact that the Veterans' Bureau may reopen all of the cases that have been rejected without further

application being filed. I want to state that that is one of the extraordinary burdens that is thrown upon the Veterans' Bureau, so that we can not compare the work of the Pension Bureau with that of the Veterans' Bureau in the consideration of the consolidation bill.

Mr. JOHNSON of South Dakota. The gentleman is accurate in that; you can not compare the two.

Mr. EATON of New Jersey. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. EATON of New Jersey. I would like to state two cases and ask the gentleman for a definite answer.

Mr. JOHNSON of South Dakota. I will listen to the gentleman's two cases, but if he starts bringing up individual cases there are 300,000 of such cases, and we never will get through.

Mr. EATON of New Jersey. I am going to confine myself to two. One is the case of a man who is 45 years of age, who enlisted and came home, and who has been down and out, suffering, with his wife suffering. He applies now for relief and is turned down. He took sick about two years after he came back. I have gone the whole country over and can get nothing for him. Under this bill do I have to begin and prove his present condition is due to the fact that he was in the war?

Mr. JOHNSON of South Dakota. No, indeed. He will be immediately compensated if he became ill prior to January 1, 1925.

Mr. EATON of New Jersey. The other is the case of a distinguished physician who was appointed to a Massachusetts camp. He went through the flu epidemic and has since had tuberculosis of a slow kind. He is now at the end of his tether. I put him through the mill and he was turned down. Does he have to prove that he contracted tuberculosis at Camp Devens, or simply that he has it now, and had it prior to January 1, 1925?

Mr. JOHNSON of South Dakota. I think I know of both cases to which the gentleman refers. He would have to prove that he contracted tuberculosis prior to January 1, 1925. The case of the physician is a border-line case, and it has puzzled me as much as it has puzzled the gentleman from New Jersey.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. I understood the gentleman from South Dakota to say a while ago that he had some kind of a statement or estimate there made by somebody in the Pension Bureau to the effect that the Rankin amendment to the Johnson bill would cost three or four hundred million dollars a year.

Mr. JOHNSON of South Dakota. It is an estimate made by the Veterans' Bureau based on the experience of the Pension Bureau.

Mr. RANKIN. We held hearings on these two bills for six weeks. There was not a day in that time when the Rankin bill was not discussed. No such statement as that was ever put into the record or uttered on the witness stand.

Mr. JOHNSON of South Dakota. No; but I will tell you the reason for it. I asked them to investigate this cost, and they estimated the so-called Johnson bill at \$100,000,000 a year, running only to January 1, 1925, and estimated the Rankin bill, running to 1930, at \$43,000,000. I knew then that somebody was wrong. It is like the estimate between the Pension Bureau and the Veterans' Bureau on the so-called Swick bill. The Pension Bureau estimated it at \$32,000,000, and the Veterans' Bureau estimated it at \$413,000,000, and somewhere between those figures is the truth.

Mr. RANKIN. As a matter of fact, the Veterans' Bureau has a record of these cases, and General Hines on the witness stand with all of his expert statisticians around him was asked that specific question, and he took time and said that he would insert the figures in the record. He showed that only 77,000 cases would come in under the Rankin bill and that the cost would be about \$43,000,000 a year.

Mr. JOHNSON of South Dakota. The gentleman is correct as to the testimony, but here is what occurred. The general made his computation based upon the number of people who had filed claims before the Veterans' Bureau and did not take into consideration the claims that could be filed, because, under the Rankin bill, I could file a claim on an injury that I received in 1927, although perhaps my remarks on this occasion have forever foreclosed me from making such a claim.

Mr. RANKIN. All of the money that is now paid directly to the veterans amounts to \$196,000,000 a year. Is it not preposterous for anybody claiming to be a statistician to send in a statement to Congress that to extend this presumption period for five years would cost \$300,000,000?

Mr. JOHNSON of South Dakota. I do not think it is. I think it is the first time that we have had accurate figures based on



the experience of the Pension Bureau and the number of men who will file claims.

Mr. RANKIN. Who made this statement out?

Mr. JOHNSON of South Dakota. It was made by a statistician in the bureau at my request; a request I made of Mr. Roberts, whom the gentleman knows and respects as highly as I do.

Mr. RANKIN. May I have the name of this statistician?

Mr. JOHNSON of South Dakota. I can not give it to the gentleman, because all I asked was that they get the figures. I made that request some time ago and it came up recently.

Mr. RANKIN. If that is a fair sample of the Veterans' Bureau, then we ought to give that bureau a house cleaning.

Mr. JOHNSON of South Dakota. I think the figures are accurate, and I think nobody dreams of what this law will cost.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. SLOAN. To my mind the most vital part of this bill is apparently misunderstood by me or misunderstood by some other Members or by the speaker, probably by myself. I understand from a reading of the first paragraph of the report on page 10 that for the established rating of 10 per cent up to 1925 there is a presumption of service origin, and that that presumption is rebuttable in all cases except eight; that in those eight cases the presumption is absolute, and no evidence would be received or considered against the presumption, whereas in all of the others the presumption is rebuttable by clear and convincing evidence upon the part of the Government.

Mr. JOHNSON of South Dakota. Which makes it impossible for the Government to oppose any claim.

Mr. SLOAN. But by the terms of this there are eight diseases or disabilities or conditions where the presumption is absolute.

Mr. JOHNSON of South Dakota. That is in the present law, passed years ago. We did not try to change that. It is not proposed new legislation.

Mr. SLOAN. I understood it was explained as being all rebuttable, whereas it is not even by an attempt in those eight cases.

Mr. JOHNSON of South Dakota. No; we did not change the law.

Mr. PALMER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. PALMER. I notice on page 16 of the report that Frank T. Hines, director, makes a statement in which he says that the estimated increased cost would be \$76,028,000 per annum, in addition to the cost of the present pension law.

Mr. JOHNSON of South Dakota. Yes. That was his estimate made at the time this bill was reported.

Mr. PALMER. That is all the additional cost of your bill?

Mr. JOHNSON of South Dakota. No. That is the additional cost of just one section of the bill, section 10. There are a great many other sections to it. Section 14 alone is estimated to cost \$9,000,000. Altogether it runs up to \$100,000,000 a year.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield there?

Mr. JOHNSON of South Dakota. Yes.

Mr. MOORE of Virginia. May I ask the gentleman what will be the additional cost due to the amendment of section 200 of the act of 1924 in case your bill should be enacted into law, and the estimated amount of additional expense in case the amendment offered by the gentleman from Mississippi [Mr. RANKIN] should be adopted?

Mr. JOHNSON of South Dakota. Based on the estimate of the Veterans' Bureau the amendment of the gentleman from Mississippi would entail an expense of \$400,000,000, because these men break down more rapidly as they get older.

Mr. MOORE of Virginia. The only issue between the gentleman from South Dakota and the gentleman from Mississippi is that concerning section 200?

Mr. JOHNSON of South Dakota. Practically so.

Mr. MOORE of Virginia. And the difference is practically relative to the period of time when the presumption expires whether it is 1925 or 1930?

Mr. JOHNSON of South Dakota. The gentleman is correct.

Mr. MOORE of Virginia. But as to the details you are not in much disagreement?

Mr. JOHNSON of South Dakota. No.

Mr. MOORE of Virginia. The rules of evidence and of rebuttal are the same in your amendment and in the amendment of the gentleman from Mississippi as authority?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. Mr. Chairman, will the gentleman yield there?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. I have in my hand a letter from General Hines, under date of April 1, 1930, in which he says:

UNITED STATES VETERANS' BUREAU,  
Washington, April 1, 1930.

Hon. JOHN E. RANKIN,

House of Representatives, Washington, D. C.

MY DEAR MR. RANKIN: Reference is made to your letter of March 28, 1930, in which you request an estimate of the amount by which the estimate made on the Johnson bill would be increased should H. R. 7285 be added to the amendment to section 200 of the act now proposed by the Johnson bill.

While it is almost impossible to accurately estimate the additional amount that would be involved where the provisions of H. R. 7825, extending the period of presumption for neuropsychiatric, tubercular, and certain chronic constitutional diseases to January 1, 1930, superimposed upon the amendment proposed by the Johnson bill (H. R. 10381), which extends the presumption of service origin to all disabilities arising prior to January 1, 1925, you are advised that from a study made since the receipt of this inquiry it is estimated that the figure estimated as the cost of the amendment to the presumption proposed by the Johnson bill, to wit: \$76,028,000, would be increased approximately in an amount of \$31,750,000 per annum.

This figure considers only those cases where disability occurred subsequently to January 1, 1925, and could not be connected under H. R. 10381, whereas the previous estimate on H. R. 7825 included the cost of bringing all the chronic constitutional diseases comprehended by the bill within the purview of the presumption of service origin and extending the period to January 1, 1930.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, Director.

Mr. JOHNSON of South Dakota. That is based on the claims heretofore filed in the Veterans' Bureau.

Mr. RANKIN. Was not this statement of yours prepared from the Pension Bureau files?

Mr. JOHNSON of South Dakota. It is based on the assumption that the number of claims that will be filed by the World War veterans will increase in the same proportion eventually as those filed by the Civil War and Spanish-American War veterans.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I will yield myself 30 minutes more.

The CHAIRMAN. The gentleman from South Dakota is recognized for 30 minutes additional.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. TARVER. I wish to ask the gentleman a question about a matter which has not been discussed by him. I wish to direct his attention to the first sentence of the proviso in section 18 of the bill:

*Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924.*

In connection with that proviso I desire to direct the gentleman's attention to a recent rule promulgated by the Veterans' Bureau, which will be found on page 6720 of the CONGRESSIONAL RECORD of April 8, 1930, reading as follows:

That where a man who has a 10 per cent disability prior to June 7, 1924, files a claim prior to June 7, 1924, and is entitled to service connection for such disability under the presumptive provisions of section 300 he be permitted to file his proof in accordance with the provisions of section 300 of the war risk insurance act, as amended, after June 7, 1924, and payment of compensation be made to him two years prior to date of claim.

I desire to ask, in view of the recent discussion of the subject matter upon the passage of the deficiency bill, whether the gentleman is of opinion that the first sentence of the proviso I quoted, set out in section 18, will abrogate the rule which I quoted from the RECORD, and which was approved by the director on April 3, 1930?

Mr. JOHNSON of South Dakota. My opinion is that it will abrogate that decision. We had a discussion the other day on the floor on that very matter.

Mr. TARVER. The issue seemed to be on the question of whether or not it was proposed to prevent compensation of veterans who had filed claims under the original war risk insurance act and who had a right to compensation under the terms of that act, but were unable to submit their proof until after June 7, 1924, for any period prior to June 7, 1924, or whether it was merely the intention to prevent those whose claims had accrued under the act of 1924 from receiving compensation prior to its enactment.

Mr. JOHNSON of South Dakota. It is my recollection that that proviso, written into the conference report of 1924, was

intended to prohibit the payment of any back pay going back more than one year. If so, the Government would be saved \$42,000,000.

Mr. TARVER. In order to make the issue more clear—and I think it should be clarified, because if the gentleman's statement is made after due deliberation, I have prepared an amendment which I think will have the approval of a great many Members of the House—I have in mind a case where a veteran had tuberculosis in March, 1922, and filed his claim in 1923. But the physician who treated him in 1922 had moved away and he was unable to come into contact with him and get his evidence, and for that reason he was unable to service connect his claim until after June 7, 1924.

After that date he secured the evidence of the physician who treated him in March, 1922, and the Veterans' Bureau found that in March, 1922, he had active tuberculosis, disabling him 10 per cent or more in degree, but that he could not be paid compensation prior to June 7, 1924.

The director of the bureau reversed the original ruling in that case and has promulgated the new rule read since the argument on the deficiency bill. The point I want to make clear is whether or not by this proviso it is intended to abrogate or change the ruling of the director of the bureau and prevent such veterans as the one whose case I have described from receiving any compensation prior to June 7, 1924, although he had the right, under a prior act, to that compensation.

Mr. JOHNSON of South Dakota. It has been the rule on all of this legislation not to make large retroactive payments, but to take up the veteran when he went on the pay roll and take care of him in the future.

Mr. TARVER. As I understand it, it is the purpose of this proviso to prevent a veteran of the kind I have just described from receiving compensation back to the time of beginning of his disability. Is that correct?

Mr. JOHNSON of South Dakota. As I understand it, the legal division of the bureau has held that this proposed amendment would not affect the case the gentleman has in mind.

Mr. TARVER. The Veterans' Bureau or the director of the bureau has not as yet answered an inquiry which I made of him a few days ago as to whether or not, in his opinion, this proviso would abrogate his ruling of April 3; and, not having been able to secure his position on the matter as yet, I am seeking to secure that of the chairman of the committee. I want to suggest to the chairman of the committee that it is a matter of such importance that I would be glad if the gentleman would defer any conclusive expression of opinion until he has given it more careful consideration.

Mr. JOHNSON of South Dakota. Yes; I think that should be done, because this is the first time that particular matter has been called to my attention. I am just informed by the legal department of the Veterans' Bureau that they are not construing this amendment so as to affect the class of cases to which the gentleman has referred.

Mr. DENISON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. DENISON. Will the gentleman state what the situation is with reference to the hospitals now? Are the veteran hospitals filled practically to capacity now, or have we sufficient available space?

Mr. JOHNSON of South Dakota. We have 30,000 in the hospitals, and they are filled to capacity with non-service-connected cases; but we could build 50 more hospitals and fill them as time goes on.

Mr. DENISON. Does not the gentleman think that the provision of this bill which allows a pension to the dependents or families of men who are hospitalized will lead to the necessity for a great deal more hospitalization?

Mr. JOHNSON of South Dakota. I do not think there is any question about it whatever.

Mr. DENISON. Of course, an expense of that kind can not be estimated in any way.

Mr. JOHNSON of South Dakota. I think the gentleman is entirely correct.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. OLIVER of Alabama. On page 19 I find a provision which seeks to care for tubercular cases, where an active tubercular condition occurred after January 1, 1925, and this provision gives them a temporary total disability rating for three years. How many cases of that character would be provided for under that provision? In other words, how many of the tubercular cases which would be cared for by Mr. RANKIN's amendment would be cared for by this enabling provision on page 19?

Mr. JOHNSON of South Dakota. It is extremely difficult to tell, but the provisions of this law giving the doctor a right to

consider lay testimony will take care of a very great number of preferential tubercular cases.

Mr. OLIVER of Alabama. The provision to which I refer is where active tuberculosis is shown after January 1, 1925, say, 1928, yet this bill gives service connection therefor after 12 months' hospitalization.

Mr. JOHNSON of South Dakota. If they are service connected.

Mr. OLIVER of Alabama. It carries the presumption that it is service connected.

Mr. JOHNSON of South Dakota. It is a presumption only to January 1, 1925.

Mr. COLE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. COLE. I would like to ask the gentleman a very practical question. We all have a great many rejected cases. Can the gentleman give us an estimate of how many of the rejected cases will be provided for under this new bill?

Mr. JOHNSON of South Dakota. It would be a very difficult matter; but of the claims filed before January 1, 1925, I would estimate it would be perhaps 30 or 40 per cent.

Mr. COLE. Not more than that?

Mr. JOHNSON of South Dakota. I do not think so. I do not think any exact figure could be given.

Mr. COLE. No; but we are all interested in practical results. We have rejected cases that keep coming back and coming back. I would like to know how many would be provided for?

Mr. JOHNSON of South Dakota. I will try to estimate that for the gentleman before the debate is closed.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. JOHNSON of Texas. Section 5 has been changed. What are the reasons for the changes in section 5 of the bill?

Mr. JOHNSON of South Dakota. From what page is the gentleman reading?

Mr. JOHNSON of Texas. Page 17 of the report. It is easier to discuss it from that report, because it shows the original bill and the new bill.

Mr. JOHNSON of South Dakota. What is the gentleman's question?

Mr. JOHNSON of Texas. What is the reason given for the change made, where the language is used carrying into effect certain decisions of the Director of the Veterans' Bureau, notwithstanding the decisions of the Comptroller General?

Mr. JOHNSON of South Dakota. That is in order to eliminate the Comptroller General entirely.

Mr. JOHNSON of Texas. So that the decision of the Director of the Veterans' Bureau will be final and not subject to review?

Mr. JOHNSON of South Dakota. That is correct.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. SCHAFER of Wisconsin. I would like to be informed by the chairman of the World War Veterans' Committee why it is good policy to extend the period of presumption to January 1, 1925, under the pending bill, or January 1, 1930, under the proposed Rankin amendment, on all disabilities without having a safeguarding provision with reference to the date of entry into the service. This is a bill to take care of disabled World War veterans. Why extend the presumptive periods for service connection to cases where the man enters the military or naval service two and one-half years after the World War armistice was signed? This bill extends the presumptive provisions to all men who entered the service prior to July 2, 1921.

Mr. JOHNSON of South Dakota. I would be glad to accept the gentleman's amendment on that particular feature. It did not happen to come before the committee, and we used the old figures of the beginning and termination of the war.

Mr. SCHAFER of Wisconsin. I believe the committee ought to offer the amendment as a committee amendment. That would reduce the costs of the bill, and the money thus saved could be used to extend and liberalize the provisions to take care of those who were in the service during the war instead of those who entered the service after the armistice was signed.

Mr. JOHNSON of South Dakota. I want to say that fixing a definite limit is almost impossible for the reason that the gentleman will recall President Wilson sent two expeditionary forces to Russia.

Those people were in actual combat in Russia a year after the armistice, many of them sick, and many of them wounded. There never was any warrant or authority of law, in my judgment, for sending them there, but there was a great group of men from Michigan, California, and from other States who did stay there for a year after the war.



Mr. LAGUARDIA. We could designate that particular expedition by name, but certainly it is not fair to the service man who saw service during the war to add this additional peace-time soldier onto his burden.

Mr. JOHNSON of South Dakota. The gentleman must recognize the difficulty of remedying this. Here is another man who enlisted in 1917 and served in the army of occupation. He never came back from France until July 2, 1921.

Mr. LAGUARDIA. I do not consider the army of occupation as a war-time army. Those boys were rather comfortably situated.

Mr. JOHNSON of South Dakota. Those boys were rather comfortably situated, but if one became ill, was wounded in any way, or was disabled by a motor truck we must take care of him, because he was sent over there and forced to go by the Government.

Mr. SCHAFER of Wisconsin. A committee amendment could clear up those discrepancies. You could provide that the service must have commenced prior to the date of the armistice in order to receive the liberalized-compensation benefits under the pending bill.

Mr. JOHNSON of South Dakota. That might be considered.

Mr. ALLGOOD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. ALLGOOD. The gentleman spoke about taking care of a 10 per cent disability up to 1925. If a person had tuberculosis, with a 10 per cent disability, and proves that up to 1925, under your bill would he then receive the statutory award of \$50?

Mr. JOHNSON of South Dakota. When he was arrested, yes; when he becomes arrested.

Mr. ALLGOOD. If they have refused to give him the \$50 statutory award under the present law and it can still be shown that he has a 10 per cent disability from tuberculosis, under the gentleman's bill would he receive the statutory award of \$50?

Mr. JOHNSON of South Dakota. Yes; that is the intention.

Mr. BRIGGS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. BRIGGS. I just want to ask this question: Whether this legislation will take care of those border-line cases and resolve the doubt in favor of the ex-service man rather than against him? There are a great number of those cases, and it seems to me that very often an ex-service man has the doubt resolved against him when it should be resolved in his favor.

Mr. JOHNSON of South Dakota. There is no question about resolving every doubt in his favor up to January 1, 1925; at least, there should not be any doubt.

Mr. BRIGGS. There is a general provision in the law that he shall have the benefit of the doubt?

Mr. JOHNSON of South Dakota. There is that general provision in the law, but he would be safe at least up to 1925.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CLARK of Maryland. Do I correctly understand the gentleman to say that the rebuttable feature of this bill means nothing?

Mr. JOHNSON of South Dakota. The Government can not rebut anything. If a man says he has heart trouble and he says he received it in the service the Government could not rebut that.

Mr. CLARK of Maryland. Then, that means, in effect, that any disease at all that may occur to a veteran up to January 1, 1925, is, in effect, not rebuttable?

Mr. JOHNSON of South Dakota. That is what it means in effect.

Mr. PERKINS. If the gentleman will permit, on the question of the number of cases affected by this legislation, it might be of interest to the committee to know that General Hines testified that claims for death and disability compensation have been filed in the number of 1,138,015 as of September 30, 1929. Of this total, 564,240 claims have been allowed, and the number of active claims as of September 30, 1929, was 356,774.

Mr. JOHNSON of South Dakota. I am glad the gentleman gave that information.

Mr. RANKIN. In that same testimony General Hines said that the Rankin bill would only cost \$43,000,000 or \$44,000,000.

Mr. WOODRUFF. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. WOODRUFF. The gentleman stated these cases would not be rebuttable. I think he will agree that in many cases the Veterans' Bureau would not take any steps to rebut the claims, yet if they did take those steps and found definite medical testimony to the effect that the disabilities were derived other than in the service then they would be rebuttable under those circumstances.

Mr. JOHNSON of South Dakota. Yes; and that would happen largely in accident cases.

Mr. THURSTON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. THURSTON. Has the American Legion or any other service organization made a study of the respective merits of the so-called Johnson bill and Rankin amendment?

Mr. JOHNSON of South Dakota. That organization has not committed itself definitely. There was a resolution introduced in the last moments of the American Legion convention at Louisville that might be said to have committed the Legion to some of the provisions of the Rankin bill, but no representative of the Legion has made any such commitment. [Applause.]

Mr. Chairman, I reserve the balance of my time.

Mr. RANKIN. Mr. Chairman, first permit me to say, in answer to the gentleman from South Dakota [Mr. JOHNSON], that he is mistaken when he says that all other legislation touching veterans' affairs since the close of the World War has come to this House under suspension of the rules. This never occurred until the gentleman from South Dakota became chairman of the Committee on World War Veterans' Legislation. Up to that time veterans' legislation was brought to the floor of the House, thrown open for debate and amendments.

Permit me to say, also, that we who have fought for the Rankin bill are responsible for any veterans' legislation at all coming to the floor of the House at this session of the Congress. If it had not been for the fight which we waged in the Veterans' Committee, there would have been no bill for veterans' relief at all at this session.

In speaking of the amount of money paid to veterans I wish to call your attention to the fact that insurance should not be counted against them, because that is money for which they have paid, just as you have paid for your insurance in an old-line insurance company. Neither should his adjusted compensation be counted against him. This is paid for his services during the time he was in the Army, the Navy, or the Marine Corps during the war.

The gentleman from South Dakota [Mr. JOHNSON] spoke of the size of the files. Why, they have brought that up in committee, and it has been shown that the largest file in the Veterans' Bureau is on a case that was finally allowed. After piling the testimony waist high they found that the veteran was entitled to the relief for which he prayed.

The gentleman said that if we pass this bill with my amendment, we will repeal that law we passed early in the session to return to the big interests of this country \$190,000,000 of income taxes. If that will be the result, then God speed the passage of the bill. [Applause.]

You will remember I told you then that the return of these income taxes was done in order to forestall veterans' legislation and other legislation for the benefit of the American people. Now, let us take up the bill as the gentleman has discussed it.

I am primarily interested in one amendment; I expect to offer to extend the presumptive period to January, 1930.

Now, do not deceive yourselves. You are doing nothing in the Johnson bill for the tubercular men. You are leaving them out in the cold to continue to die by the thousands without relief from the Federal Government. You are doing nothing for the neuropsychiatric cases, those men whose nerves have broken down and who are now helpless. You are doing nothing for them under the Johnson bill except coaxing them into hospitals through the provision that grants their families just enough money to keep them alive, provided their husbands will go to the hospitals.

I was amazed that the gentleman from South Dakota would come here with this astounding statement [indicating] without a man's name signed to it.

Let me say to the gentleman from South Dakota that whoever delivered this paper to him perpetrated a gross fraud upon the gentleman from South Dakota, and I will leave it to any intelligent man in this Congress that this paper is a malicious fraud on the part of somebody to deceive the gentleman from South Dakota and the Congress of the United States in order to block the amendment I propose to offer, and I will prove this statement.

Mr. JOHNSON of South Dakota. Will the gentleman yield there?

Mr. RANKIN. For a question only.

Mr. JOHNSON of South Dakota. I would prefer the gentleman to yield for a statement, because I do not agree with the gentleman in any way about that statement. I think that is a document that is accurate.

Mr. RANKIN. Oh, no.

Let us see about all this testimony. Let us go into the facts. In the first place, when we took up this legislation for consideration in the committee we first called hearings on the Rankin



bill. I waited before introducing this bill, thinking some one on the majority side would introduce it, because I knew it would stand a much better chance of passage. We simply asked that you extend the presumptive period for tubercular men and for men suffering from other chronic, constitutional diseases to January 1, 1930.

They called in first the witnesses against the bill. The chairman of the committee did this. He called in the witnesses against the bill and took testimony for two or three weeks, and then when they got through with the witnesses against the bill they sidetracked it and took up other legislation. These were their own witnesses. We called General Hines and put him on the stand, and here is what he said. Here is his testimony, found on page 62 of the report of the hearings on the Rankin bill (H. R. 7825). We asked General Hines how much it would cost, and he first said \$48,000,000 a year. He finally got that down to about \$43,000,000 or \$44,000,000. We then asked him how many cases would come under the Rankin bill, and he said he would insert the figures in the record. He would develop the figures, in other words, and insert them in the record; and instead of the figures contained in this unsigned monstrosity, here is what General Hines said. He said there would be 77,744 men come under it.

The presumptive period for neuropsychiatric cases and for tubercular men had already been extended to 1925, so the men contained in the list of General Hines who were suffering from neuropsychiatric trouble, mental or nervous diseases, and the tubercular men will not be touched by the Johnson bill, so far as the extension of the presumptive period is concerned, and it has been shown by the statistics that since we started on this bill on the 22d of January these men have been dying at the rate of from 60 to 72 a day and that more than 5,000 of them have now passed to the great beyond, while Congress has dilly-dallied and those who are opposing this extension of time have blocked legislation instead of getting behind it and helping to push it to a consummation.

Now, let us see about the number of men. Of the 77,000 men, the Johnson bill will leave out 23,205 neuropsychiatric cases, these pitiable men who have broken down through shell shock, from the stress and strain of war, beginning with the inoculation when they entered the Army, going on down through the training camps, close-order drill, gun-squad drill, and on into the trenches and over the top in the face of withering fire. These men, who finally broke down as a result of this strain, are left out of the Johnson bill and permitted to continue to die until we extend this presumptive period for them to 1930, as my amendment will provide.

Now, listen to another list of pitiable men. I want to say to you that we have behind us not only the ex-service men of the country but we have behind us the moral forces of America, and we are going to fight until we secure relief for these disabled men. [Applause.] You are not going to sidetrack us by any such statement as that offered by the gentleman from South Dakota [Mr. JOHNSON].

Now, take the tubercular men. Oh, I know so many of them—honest, conscientious, hard-working, patriotic men, who came back from the conflict denying that there was anything wrong with them—they had stood in the water, they had walked their posts, they had gone over the top, and yet they said there was nothing wrong with them. You know there is always something peculiar about tubercular persons—so many of them conceal it as long as possible.

They said, "We are all right; we are going to carry on; we are going to stay with it"; and they went on and after 1925 they began to break down. If you will read your mail—I do not ask you to read mine—I do not believe there is a human being, including the gentleman from South Dakota, who can read the mail that I have received and then vote against this amendment. I am not going to burden you with the letters that I have received. I believe I have petitions enough to wrap around every Congressman in the House. They are from your districts, men suffering from this great white plague, this great enemy of the American people—a greater enemy than any we are fortifying against by the construction of the navies or the maintenance of armies.

Let us see how many there are; 18,986—not a one of whom would come under the Johnson bill. These are tubercular men, 18,986, at the time General Hines testified. Many of them have passed away, and others are passing. I have received letters from hospitals throughout the country and those unable to go to hospitals saying, "So and so is with us no longer; he passed away a few days ago, but we boys are going to carry on."

These others will be taken care of down to 1925, but the tubercular and neuropsychiatric men will be left out.

Under the Johnson bill you take care of 35,553 and leave out 42,191. None who are suffering from neuropsychosis or from tuberculosis will be taken care of unless you adopt my amendment.

Mr. PERKINS. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. PERKINS. When General Hines testified, as he did on page 62 of the hearings, to the figures you have given as to the numbers, was he referring to the applications already made for compensation or to the number of applications possible to be made?

Mr. RANKIN. If the gentleman has gone all through the hearings and is not informed, I will read what General Hines said.

I had heard all these rumors about the excessive cost of my bill. I had heard all about the gout getting in under the Rankin bill, and all these insinuations, and I wrote General Hines, and here is a letter. If he is as good a man as the gentleman from South Dakota says he is, and as able, you ought to stand by what he says.

Here is what he said:

UNITED STATES VETERANS' BUREAU,  
OFFICE OF THE DIRECTOR,  
Washington, April 1, 1930.

Hon. JOHN E. RANKIN,

House of Representatives, Washington, D. C.

MY DEAR MR. RANKIN: Reference is made to your letter of March 28, 1930, in which you request an estimate of the amount by which the estimate made on the Johnson bill would be increased should H. R. 7825 be added to the amendment to section 200 of the act now proposed by the Johnson bill.

While it is almost impossible to accurately estimate the additional amount that would be involved where the provisions of H. R. 7825, extending the period of presumption for neuropsychiatric, tubercular, and certain chronic constitutional diseases to January 1, 1930, superimposed upon the amendment proposed by the Johnson bill, H. R. 10381, which extends the presumption of service origin to all disabilities arising prior to January 1, 1925, you are advised that from a study made since the receipt of this inquiry—

Let me say to the gentleman from New Jersey [Mr. PERKINS] that long after he had given his testimony, long after it had been gone over in the Veterans' Bureau, after we had taken another volume of hearings on this legislation, he had gone over it again. To continue—

it is estimated that the figure estimated as the cost of the amendment to the presumption proposed by the Johnson bill, to wit, the \$76,028,000, would be increased approximately in an amount of \$31,750,000 per annum.

That is the increase that will be brought about by superimposing the Rankin bill on the Johnson bill, from 1925 to 1930. I confess that a gentleman who stubbed his toe or stepped on a hot brick prior to 1925 might come under the provisions of the Johnson bill, but he would not come under the provisions of the Rankin bill, and if you are willing to spend the amount the gentleman's bill will cost up to 1925, namely, \$76,000,000, less than the gentleman from South Dakota says it will cost—if you are willing to spend that amount in order to bring these scattering diseases and disabilities up to 1925, is it not reasonable, is it not just, to spend \$31,000,000 more in order to bring them all up to 1930, and take care of these 23,203 neuropsychiatric cases and these 18,986 tubercular cases? But let me finish the letter:

This figure considers only those cases where disability occurred subsequent to January 1, 1925, and could not be connected under H. R. 10381, whereas the previous estimate on H. R. 7825 included the cost of bringing all the chronic constitutional diseases comprehended by the bill within the purview of the presumption of service origin and extending the period to January 1, 1930.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, Director.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. JOHNSON of South Dakota. Does not the gentleman realize that those figures quoted in that letter by the general were based on the cases that have already been filed, and do not consider the total load of cases that would be filed?

Mr. RANKIN. The statement or estimate quoted by the gentleman from somebody in the Veterans' Bureau has in one place 805,000 as the number of men that will be placed on the roll if my amendment is adopted. Use your intelligence. Do you not know that is out of the line of reason and common sense? His estimate exceeds General Hines' by more than 700,000. How absurd!



Mr. PERKINS. On page 62 of the hearings, General Hines says he believes it would affect 77,744 cases. That is an absolute, concrete figure. Were not those 77,744 cases, cases already filed with the Veterans' Bureau, but which had been rejected?

Mr. RANKIN. The chairman says, "Will you put that in the record?" and he said, "yes," and the next day he produced it after going over it with statisticians, and put those figures in the record. The gentleman from New Jersey was on that committee, and he knows that they had hearings against the Rankin bill for two weeks, and he knows there never was a word of testimony, and there is not a word of credible testimony that he can find which will bear out this table by which the gentleman from South Dakota [Mr. JOHNSON] has been imposed upon by some misguided fellow in the bureau.

Mr. PERKINS. The gentleman from Mississippi yielded for a question, but he has not answered the question. The question is, Were not those 77,744 cases cases already filed? Is not that true?

Mr. RANKIN. The gentleman from New Jersey stood up there a while ago and read the number of cases filed. I do not know whether these had all been filed, but that was the estimate of the Director of the Veterans' Bureau, the best authority on the subject.

Mr. PERKINS. But he gave the exact number of 77,744, and that was out of these 356,774 cases that were actively before the board.

Mr. RANKIN. I will let the gentleman from New Jersey oppose this amendment in his own time if he wants to.

Mr. PERKINS. I ask the gentleman to answer the question.

Mr. RANKIN. I have answered the question.

Mr. LOZIER. Is it not true that practically every tubercular case in the United States has already been filed that will ever be filed?

Mr. RANKIN. Yes. The gentleman from New Jersey [Mr. PERKINS] does not want any information. If he did, he would have let me put on my testimony; if he had, he would have joined me in our attempts to get the witnesses in favor of the Rankin bill before the Veterans' Committee, in order that we might have the representatives of the various veterans' organizations there to tell Congress through your committee the necessity for this legislation which they are demanding now.

Mr. JOHNSON of South Dakota. Did not the gentleman from Mississippi ask every representative of every veterans' organization before the committee, and they were all there, whether or not they were in favor of the Rankin bill?

Mr. RANKIN. The gentleman from South Dakota ought to know that after he sidetracked it and started hearings on his bill I asked every witness his views on the Rankin bill.

Mr. JOHNSON of South Dakota. In reply to that question, will the gentleman read one statement where they were for this bill, except one statement from the Disabled American Veterans? He has the hearings.

Mr. RANKIN. Let me try to educate the gentleman from South Dakota.

Mr. BRAND of Georgia. Mr. Chairman, we are very much interested in the answer of the gentleman from Mississippi to the question the gentleman from South Dakota just propounded.

Mr. RANKIN. The man representing the disabled soldiers is Tom Kirby, of the Disabled American Veterans, and he was for this bill, and he wanted to appear before the committee to testify on it, and in the hearings on the Johnson bill he said he was for it. We asked Watson Miller, and he said that while he was not authorized to come out for the bill, because it had not been approved by the American Legion at its convention last year, but personally he was for it.

Mr. JOHNSON of South Dakota. Just what did the representative of the American Legion say?

Mr. RANKIN. What did he say?

Mr. JOHNSON of South Dakota. He said that the American Legion had not passed on it.

Mr. RANKIN. No; because it has not been brought to their attention, but that personally he favored it.

Here is a statement from the American Legion of Pennsylvania, and that is the only one that has had a meeting since this fight began, and they strongly indorsed it. Their convention met and went on record in favor of the Rankin bill.

Mr. JOHNSON of South Dakota. That action simply came from a few paid organizations of the Pennsylvania Legion.

Mr. RANKIN. Oh, no. Mr. Deighan, the adjutant of the Legion in Pennsylvania, is one of the most enthusiastic friends of the service men that I know, and I resent the statement that he and his associates are paid agents.

Mr. O'CONNELL of New York. Mr. Chairman, will the gentleman yield there?

Mr. RANKIN. Yes.

Mr. O'CONNELL of New York. Have we come to such a pass that the disabled soldiers have to pay somebody to represent them?

Mr. RANKIN. No. It will be a sad time if that time ever comes. Here is a write-up in the American Legion Monthly for April, 1930. I will read from it:

The second bill to amend the World War veterans' act was introduced by Legionnaire JOHN E. RANKIN, Representative from Mississippi. It would accomplish more far-reaching results than the Johnson bill, and it would do this principally by eliminating January 1, 1925, as the arbitrary date for presumptive service connection and establishing instead the date of January 1, 1930. It would automatically make eligible for compensation thousands of service men now in hospitals, suffering from tuberculosis and mental disorders, but not drawing compensation for the reason that they are unable to present medical and legal proof that their diseases had been developed to a disabling degree prior to January 1, 1925.

Like the Johnson bill, the Rankin bill would grant presumption of service connection for the chronic constitutional diseases, and it would establish January 1, 1930, as the presumptive service connection date for these diseases also. The Legion's national legislative committee bulletin for January 25 made this comment on the comprehensive provisions of the Rankin bill.

Remember that this is from the Legion bulletin. I read:

Passage of the Rankin bill would cure the great majority of difficulties now facing disabled veterans, and it would bring compensation to a large proportion of the uncompensated veterans now in hospitals; and in addition, would immediately clear up thousands of claims which are either pending or have been denied because of inability to establish service connection under the comptroller's interpretation of existing law. The Veterans' Bureau estimates that the first year's cost of this bill would be \$42,000,000. While this in itself seems a large sum, it is less than one-third of the annual refund on income taxes.

Do not overlook the fact that the soldiers read about that refund of income taxes, while at the same time they are reading about the lack of better care of the American veterans.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there for a nice little question?

Mr. RANKIN. I would rather not.

Mr. PERKINS. For the purpose of getting information.

Mr. RANKIN. Well, while I am hunting for a telegram here among my papers I will yield, but the gentleman does not want information.

Mr. PERKINS. Are we not all agreed that this Johnson bill is good as far as it goes? You agree to that, do you not?

Mr. RANKIN. Do you ask me whether I think that the Johnson bill is good?

Mr. PERKINS. Yes.

Mr. RANKIN. It is to a certain extent. I decline to yield further. Let the gentleman from New Jersey read the record, and he will find a thorough discussion of that question. I am not going to vote for the Johnson bill unless you accept my amendment, because I reserve the right to make a motion to recommit the bill and urge the adoption of my amendment to take care of the neuropsychiatric men and the tubercular men, who are neglected in the Johnson bill.

Mr. PERKINS. But it is a good bill, is it not, to a great extent?

Mr. RANKIN. To a certain extent. But it leaves out the tuberculous men and the neuropsychiatric men who suffer from nervous troubles, from which many of them can never hope to recover.

I have never met these fellows personally, but here is a sample telegram from a disabled veteran at Fort Bayard, N. Mex., which reads as follows:

FORT BAYARD, N. MEX., March 1, 1930.

Hon. J. E. RANKIN,

House Office Building, Washington, D. C.:

Request you give following message House if you consider advisable. Uncompensated tubercular veterans of World War urgently plead you include Rankin bill in veterans' relief measure. Johnson omnibus bill inadequate, discriminating, and unjust. Thousands of veterans suffering from tuberculosis will be excluded if this bill is passed, necessitating same problem of legislation next Congress. We ask you vote for Rankin bill not as Democrats or Republicans, but as dispensers of justice and mercy. We believe you desire to be fair to all disabled and do not wish to duplicate blunders of act of 1924, which compensated only a certain portion. If you are willing to appropriate one hundred millions for veterans' relief, why ignore the tubercular victims? These men now lying helpless in hospital beds once fought for you in France. To-day they ask you in turn to fight for them. Will you help them by including the Rankin bill in your veterans' measure?

JAMES FOY,

Chairman Uncompensated Disabled Veterans of World War,  
United States Veterans' Hospital No. 55.

I have great stacks of such telegrams, and I have the most pathetic case I have ever read about from the State of South Dakota.

Mr. JOHNSON of South Dakota. Will the gentleman give the "C" number of the case from South Dakota?

Mr. RANKIN. Yes, if I can find it. I will put it in my remarks. This poor fellow is suffering from tuberculosis. He is on the ground floor. They moved him there because he was unable to go up the stairs. One of his children died last winter, and these uncompensated men raked their savings together and made up money to send him home in order that he might be present. He left his wife and children without anything to live on, and now he is lying there without receiving any relief.

He is one of the tubercular victims. Not only that, these boys in the hospital tried to rake up 90 cents one night to send a telegram to Washington, and they could not get the 90 cents. I will give the gentleman from South Dakota [Mr. JOHNSON] the "C" number, if I have it, and I hope the gentleman will look into it, and vote for the Rankin amendment.

Mr. PALMER. Will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. PALMER. In the minority report on page 2, according to the testimony of the Director of the Veterans' Bureau, this would cost approximately \$44,000,000 a year.

Mr. RANKIN. I said that.

Mr. PALMER. Which is considerably less than the Johnson bill. If that is true, we certainly should be in favor of the amendment to extend the presumptive period to January 1, 1930. May I ask where did the gentleman get that information? Is that authentic?

Mr. RANKIN. I got it out of the record from the testimony of General Hines.

If this amendment is adopted, to carry these tubercular men up to 1930 it will add approximately \$31,000,000 to this bill. There is no question about that.

I have long since stopped quibbling about whether or not they were really connected with the service. If a man served honorably, and rendered worthy, patriotic service during the World War, and is now disabled and can not take care of himself and his family, I do not care whether his disability is service connected or not, I am willing to compensate him. I am not willing for this rich and powerful country to let him lie there and die and his wife and children beg for a livelihood.

Mr. PERKINS. Will the gentleman yield for a question?

Mr. RANKIN. I yield for a question.

Mr. PERKINS. Is there any difference between the Rankin bill and a pension bill?

Mr. RANKIN. The gentleman from New Jersey knows that there is not, and the gentleman knows that there is no difference between the Johnson bill and a pension bill. The gentleman knows there is no difference between retirement pay and a pension.

Now, I hope that the gentleman, with that explanation, will be quiet and hear the rest of the sermon.

Mr. PERKINS. That is entirely satisfactory to me.

Mr. ALMON. Will the gentleman yield for a question?

Mr. RANKIN. I yield.

Mr. ALMON. Does the gentleman not think that we should enact the law as it should be and let Congress take care of the cost?

Mr. RANKIN. Certainly.

Now, I want to show you one thing that is wrong with the Veterans' Bureau. Some time ago you passed the emergency officers' retirement act. I want to see your votes and compare them on this bill with the emergency officers' retirement act, that intolerable measure, the results of which I put into the CONGRESSIONAL RECORD on last Thursday. I want to show you what you are doing. I do not care whether a man was a general or a private soldier. If he is an honest, patriotic American he is entitled to the same treatment. [Applause.] Yet, unfortunately, in this war the further behind the line a man was during the conflict, the more compensation, pension, or retirement pay he gets.

What do you find in this list which I put into the RECORD on Thursday? One hundred and seventy-one of these men who are drawing this "retirement" pay are employed in the Veterans' Bureau, passing on the claims of your constituents and my constituents, and cutting them off, and some of them without rhyme or reason.

Mr. JOHNSON of South Dakota. Will the gentleman yield for a question?

Mr. RANKIN. I yield.

Mr. JOHNSON of South Dakota. The gentleman does not think it is the fault of those men that they accepted this gratuity which Congress gave them?

Mr. RANKIN. I said it was lobbied through by a little bunch of selfish ex-officers, and I say it yet. The beneficiaries of it were not willing then to take the men from the rank and file and put them on an equal plane, and they are not doing it now. I am not in favor of their sitting in the Veterans' Bureau and passing on the claims of the enlisted men from my State and yours, and drawing the rake-offs which they are getting as "retirement" pay.

More people have read this RECORD of last Thursday than have read the RECORD in many a day. I find, for instance, a man, I will not give his name unless you demand it, but he is a regional attorney drawing a salary of \$3,800 and drawing "retirement" pay of \$312.50 a month—more than \$3,700 a year pension.

Mr. PERKINS. Will the gentleman yield for a kind question?

Mr. RANKIN. I would expect the gentleman's question to be kind.

Here is another one, who is drawing a salary of \$6,500 and is drawing \$150 a month, or \$1,800 a year, pension or "retirement" pay.

Mr. PERKINS. Will the gentleman yield?

Mr. RANKIN. I am reading the names of some of the employees in the Veterans' Bureau, and I will come to some of the others.

Mr. PERKINS. I am with the gentleman on this.

Mr. RANKIN. I am glad the gentleman is getting religion.

Here is one drawing a salary of \$3,000 a year and he is getting \$218.75 a month pension or "retirement" pay.

Here is another one, the first one on the list, drawing a salary of \$8,000 a year and \$262.50 per month "retirement" pay. One of those men testified before our committee against the Rankin bill. I looked up the record, and I find his name on the list as "retired" with pay.

Mr. PERKINS. Will the gentleman yield for a friendly question?

Mr. RANKIN. Yes; I yield.

Mr. PERKINS. Does the gentleman not think it is time the entire subject of compensation and pensions should be gone over by a congressional committee?

Mr. RANKIN. Now, the gentleman from New Jersey is really showing signs of improvement. I have advocated that all the time. But this bill has a life of three years, and I have no objection to the resolution introduced and referred to the Rules Committee. I am in favor of it. I am in favor of investigating this matter and bringing in legislation that will wipe out these discriminations. But I want to show you one thing here. Here is one I just could not keep from laughing at. Here is one fellow, a lieutenant colonel in the Judge Advocate General's department, one of those heroes of the Judge Advocate General's department, who probably risked his life in a swivel chair poring over evidence against those doughboys who were accused of infractions of the military law. He is drawing \$218.75 a month, while those boys who went over the top, probably his own brothers, who went through the dust, grime, and sweat of the training camps or through the blood, fire, and hell of the battle front—those men now dying with tuberculosis, those men now dying from shell shock and nervous and mental troubles are denied any compensation even under the Johnson bill. They will not get one dollar of compensation unless this Rankin amendment is added to the bill.

I was asked to go to see a helpless veteran. I went, and they showed me into a home that was awfully poorly equipped. It bore out Washington Irving's description of poverty honestly come by and decently maintained. The man was lying on his back in almost a dying condition from heart trouble. His wife said: "He can not work a lick, and I am just struggling here to keep the children alive. We have had his claim before the Veterans' Bureau for a long time."

I took his case up for him. One day I noticed in the local paper that he was selling his furniture in order to get money to live on. Finally I saw his wife had sold her stove. I then took it up with the Veterans' Bureau, and they said: "It is pending adjudication."

It had been pending for nearly a year. Then I had a letter from him stating that he had spent the worst Christmas he had ever spent in his life. I am telling you of a case which is similar to many cases in your district. Every one of you will find many such cases in your district. This is a worse case, although not much worse, than the one in South Dakota. Then I had a letter stating that he had been compelled to give his children away and scatter them among his relatives. He said "I believe my wife will go crazy; she can not stand this much longer."

I called up the Veterans' Bureau and told them I did not want any conversation, but I wanted action. I made that statement before the Veterans' Committee, and the gentleman from



South Dakota, who is always more or less skeptical, demanded that I have them bring the files before the committee, but before they could get them there they allowed his claim. Then it was 30 days before they sent him a check, and they had shipped him out of the hospital the day his claim was approved.

Now, these men who are receiving these large compensations ought not to be in the Veterans' Bureau passing upon the claims of these unfortunate men.

Now, gentlemen, I want to say to you that I know some of you are going to talk about expense. When you do so remember you voted to override the veto of the President of the United States and pass the emergency officers' retirement bill, and you look at the RECORD of last Thursday and you will see what has been the result.

I also ask you to remember that you voted for this tax reduction of \$190,000,000, in order to pay back that amount of money to the large income-tax payers of this country. They said it was \$160,000,000, but the Treasury Department now says it is \$190,000,000. I ask you to remember that President Hoover, in his message, said he hoped to do that every year. Although some of you are willing to do that you are ready and willing to turn down these men when it will only cost \$31,000,000 a year.

You are willing to return \$160,000,000 or \$190,000,000 a year to the large income-tax payers of the country but you are unwilling to help these men. Then I ask you to remember that you have given back in tax refunds, according to the statements made on this floor by the gentleman from Texas, in the last three years more than \$3,000,000,000. That money was returned to men who came out of this war infinitely richer than they went into it.

Did you know that in 1914 there were only 60 people in the United States who had incomes of \$1,000,000 a year? To-day we are told there are 496 who have an income of \$1,000,000 a year; and 206 more this year than there were last year; in this great country, where the rich seem to grow richer and the poor seem to grow poorer.

I know there are some who now talk about taking the profits out of the next war. I hope we do not have another war; and we will not, perhaps, in your day and mine; but, gentlemen, I am in favor of taxing the profits of the last war in order that those men who grew rich during and after that conflict may realize that the human element still prevails and that human sentiment is still one of the dominating influences in American life.

I am in favor of making them help to pay and take care of the men who offered their lives in defense of their country during the World War.

I know I am pleading the cause of the private soldiers. They are not as well organized as the officers. If they had been you never would have passed the emergency officers' retirement bill. I know that just as good men served in the rank and file as were found among the highest ranking officers. Some one has said that many a Robert E. Lee, many a U. S. Grant, and many a Napoleon Bonaparte was born to die unknown to fame; that many a Stonewall Jackson lies beneath the sod of mother earth with no other monument to mark his last resting place than the green grass that feeds its hungry roots upon a hero's decaying bones.

In the name of these men from the rank and file, I appeal to you Members of Congress to do your duty in taking care of these unfortunate disabled veterans of the World War. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. SWING].

Mr. SWING. Mr. Chairman and members of the committee, I have asked for this time to undertake to emphasize again, so far as it is in my power to emphasize, my criticism of a prevailing practice of the Veterans' Bureau of blacklisting disabled veterans of the World War for some infraction of a minor hospital regulation.

Last Thursday I called your attention to the case of H. J. Wilson, of Banning, Calif., a service-connected disabled veteran, and told you that I took his case to General Hines on the morning of the 28th, telling him that this veteran was dying for want of medical care and attention; that the Veterans' Bureau in Los Angeles had been appealed to, but that they had stated that they could not help because of paragraph No. 6588 of the Regulations and Procedure of the United States Veterans' Bureau, Medical, 1929, since the veteran had left a hospital at some time against medical advice. This veteran died on the 30th of the month without a Veterans' Bureau employee ever having seen him after my appeal.

I am now calling your attention to another case at Banning of a service-connected disabled war veteran. Pulmonary tuber-

culosis is his disability. He left a hospital in 1924 against medical advice, but thereafter he was given regular home treatment until February 1 of this year. Then a doctor in the Los Angeles office—I am told his name is A. W. Schultz—put an interpretation on subdivision (d) of paragraph 6588 of the medical regulations of the Veterans' Bureau and held that because in 1924 this veteran had left a hospital against medical advice he was not entitled to home treatment and so he was cut off.

His wife writes me this letter and makes this appeal:

Mr. McPherson—

She says—

is bedridden and is a hemorrhage case. I, his wife, am a trained nurse. We have no children. Our home was built especially to meet his condition and, so far as we can understand, there should be no reason why he should not be allowed to remain in his home and be granted the same medical care which is allowed to patients who have never been in a hospital.

I thought possibly the wife might not know of some objection surrounding his present condition at home, so I sent a wire to a friend of mine in Los Angeles and asked him to look at this man's file and see whether any such objection had been raised. I have got back the very definite and positive information from the official record in the Los Angeles office that no such objection had ever been made.

I also asked what was the cost of home treatment, and the answer is that the cost of home treatment for three months prior to January 1 this year was \$103.65.

Had this man been in a veterans' hospital, he would have cost the Government \$4 a day, or \$360 for the three months. In other words, the Government was getting off with a cost for treatment in his home of one-third what they would have had to pay if he had been treated in a hospital.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. SWING. Yes.

Mr. JOHNSON of South Dakota. I have discussed this case with the gentleman. The gentleman from California does not believe we could allow these men to leave the hospital and come and go just as they might desire?

Mr. SWING. A man goes into a hospital voluntarily and let me say to the gentleman that we must grant him the privilege of going out. You would not keep a doctor and you would not consent to take the treatment of a doctor in whom you had lost confidence or if you thought he had it in for you. There is no man who can get well in a hospital after he has become dissatisfied with conditions there.

Mr. JOHNSON of South Dakota. I can agree with the gentleman that I would not take treatment from a doctor in whom I had no confidence, but the gentleman does not, seriously, mean to say that we ought to allow men to leave these hospitals, go anywhere they want to go in the United States or go to any doctor they want, and then force the Government to pay the bill. This would financially wreck the Government.

Mr. SWING. The gentleman does not state the issue. In this case the bill is only one-third what it would cost to use veterans' doctors and nurses, and furnish him with food and a bed in a hospital.

What is back of the policy of the Veterans' Bureau which demands that all disabled veterans must be herded in hospitals and be taken care of at an expense of \$3,500 per bed for construction cost and \$4 per day for treatment, when they can be taken care of satisfactorily by home treatment at one-third the cost? What is back of the policy that demands this immense hospitalization program at a tremendous expense to the Treasury of the Government?

Mr. JOHNSON of South Dakota. I will say to the gentleman that it has been the policy of the Government that men having contagious or infectious diseases should be cared for in hospitals and not allowed to go all over the country and spread such contagious or infectious diseases.

Mr. SWING. We are not treating civilians who have tuberculosis in that manner.

Mr. RANKIN. If the gentleman will permit, that is a policy of the Veterans' Bureau instead of a congressional policy.

Mr. SWING. I must agree with the gentleman in this instance that it is a policy of the Veterans' Bureau, because they have laid it down in their rules and regulations. It can not be found in any acts of Congress. A man who has never been in a hospital, who has not spit on the floor and been expelled because of that or some other violation of hospital regulations is given home treatment where the conditions are agreeable.

The point I make is this: There must be rules and regulations, of course. Discipline must be maintained in the hospitals, and when a man has committed an infraction of the rules serious

enough to cause him to be discharged, he should be discharged, but he should not be pursued into his grave. It is punishment enough to discharge him from the hospital and say, "You have forfeited your right to these magnificent surroundings which we are now offering to you." I am, indeed, sorry if the chairman of this great committee is taking the position that it is proper to punish these men in addition to discharging them from the hospital.

Mr. JOHNSON of South Dakota. If the gentleman will permit, the chairman is not taking any such position.

Mr. SWING. I hope not.

Mr. JOHNSON of South Dakota. The chairman has brought in every hospital bill we have had and also brought in the provision allowing home treatment, but I recognize the fact that we can not give every one of these 4,250,000 men who are now living home treatment at this immense expense.

Mr. SWING. I am willing to leave it to the discretion of the Veterans' Bureau, but I do not want on their books a regulation created by them under which a man who has spit on the floor, or made some other infraction of one of the 6,588 regulations, is, after being expelled from the hospital, denied care and medical treatment for the rest of his life.

Mr. JOHNSON of South Dakota. Let me say, if the gentleman will yield, that the rules are more liberal and less discipline in the veterans' hospital than in any of the private hospitals in the United States.

Mr. SWING. Will the gentleman stand up and let me ask him this question?

Mr. JOHNSON of South Dakota. I do not need to stand up.

Mr. SWING. Home treatment is one of the standard, recognized activities of the bureau, is it not?

Mr. JOHNSON of South Dakota. If the home surroundings are good, if the man is also following the doctor's directions, he is better off at home than in the hospital.

Mr. SWING. I hope the gentleman will help me to get that put in the regulations.

Mr. SIMMONS. Will the gentleman yield?

Mr. SWING. I will.

Mr. SIMMONS. Do I understand that a veteran has ever been denied hospital treatment and dismissed from a hospital because he spit on the floor?

Mr. SWING. That is not this particular case. I used that to illustrate my argument, that they can discharge a man for any infraction of hospital rules, and once they have discharged him for an infraction he is excommunicated thereafter for medical treatment.

Mr. SIMMONS. Does the gentleman say that a man was ever dismissed from a hospital for such a minor infraction of the rules?

Mr. SWING. I do not know.

Mr. SIMMONS. I think it is unfortunate that the gentleman used that illustration, because there is a lot of criticism of the Veterans' Bureau, and it is unfortunate that the gentleman should leave the impression that such is the case.

Mr. SWING. It is impossible to know all of these 6,588 regulations. They call it an infraction of the rules to leave the hospital against medical advice.

Mr. SIMMONS. There is enough criticism of the Veterans' Bureau without the danger of getting wrong information.

Mr. JOHNSON of South Dakota. The rules and regulations are much more lenient in the veterans' hospital than in the hospitals of the Army and the Navy.

Mr. SWING. In reply to that, let me say that these boys are not in the Army or the Navy. The war is over. These boys are civilians. The Veterans' Bureau is not a military organization. It is supposed to be a humanitarian institution; and the sooner it displays a spirit of sympathetic and human understanding of its problem the sooner it will be doing the job that Congress and the American people want it to do. [Applause.]

Mr. JOHNSON of South Dakota. I will tell the gentleman what some of them are discharged for. Some have come in and beat up the nurses, violated the rules and regulations, such as would not be allowed in any hospital in the country.

Mr. SWING. The gentleman does not understand the point I am trying to make. Here is the regulation that I am talking about:

When a beneficiary who has been admitted to a hospital upon authority of this bureau is discharged therefrom "against medical advice" and upon return to his home has become ill and requests medical treatment at home, and it is determined that his physical condition is such that he can return to a hospital, medical care and treatment will not be furnished by the bureau to such beneficiary in his home.

(d) Where the same conditions obtain as in (c), except that the beneficiary's condition is not considered such as to permit his removal to a hospital, the bureau will nevertheless not assume the care and treatment of such claimant in his home.

Please understand that I raise no objection to the discharge of a man from the hospital if he breaks the rules, but having punished him in that way why continue, year after year, to treat him as an outlaw because once he was guilty of an infraction of some petty regulation? Why continue to deny him the medical attention and help he needs and for which this Congress so generously appropriates, and which the American people expect the Veterans' Bureau to accord him?

Mr. RANKIN. May I make one more suggestion to the gentleman? Under the Johnson bill those men who broke down since 1925 are coerced into the hospital if they even get any consideration for their families or any relief whatever.

Mr. SWING. This great demand now being made on this Congress for 26 new hospitals can be substantially modified with an intelligent and liberal policy of home treatment, which will give immense satisfaction to the disabled veterans themselves and save millions to the Public Treasury.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had under consideration the bill H. R. 10381 and had come to no resolution thereon.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park, in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

H. R. 5619. An act to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes;

H. R. 6121. An act to authorize the maintenance of central warehouses in national parks and national monuments, and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses;

H. R. 6809. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 8527. An act to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929;

H. R. 8799. An act to provide for a survey of the Choctaw-hatchee River, Fla. and Ala., with a view to the prevention and control of its floods;

H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 8960. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo.;

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.; and

H. J. Res. 171. Joint resolution providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, and establishing a



commission to be known as the United States Battle of the Monongahela Commission.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3747. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River; and

S. 4027. An act to legalize a bridge across the American Channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

H. R. 5619. An act to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes;

H. R. 6121. An act to authorize the maintenance of central warehouses in national parks and national monuments and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses;

H. R. 6809. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 8527. An act to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929;

H. R. 8799. An act to provide for a survey of the Choctawhatchee River, Fla. and Ala., with a view to the prevention and control of its floods;

H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo.; and

H. R. 10865. An act to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor.

#### ADJOURNMENT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 27 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, April 16, 1930, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, April 16, 1930, as reported to the floor leader by clerks of the several committees:

##### COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

To provide that certain laws of the United States shall not apply to Indians and Indian reservations within the State of New York (H. R. 9720).

##### COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes (H. R. 11144).

To amend the act entitled "An act to provide for the enlarging of the Capitol Grounds," approved March 4, 1929, relating to the condemnation of land (H. R. 11432).

##### COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation.

##### COMMITTEE ON WORLD WAR VETERANS' LEGISLATION—SUBCOMMITTEE ON HOSPITALS

(10 a. m.)

To consider proposals for veterans' hospitals in Michigan and Pennsylvania.

##### COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

##### COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To provide for the renewal of passports (H. R. 10826).

#### EXECUTIVE COMMUNICATIONS, ETC.

413. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting a draft of proposed legislation affecting an appropriation of the Office of Public Buildings and Public Parks of the National Capital for the fiscal year 1930, in the amount of \$1,950 (H. Doc. No. 349); was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BRITTON: Committee on Naval Affairs. H. R. 7639. A bill to amend an act entitled "An act to authorize payment of six months' death gratuity to dependent relative of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct," approved May 22, 1928; with amendment (Rept. No. 1161). Referred to the House Calendar.

Mr. KOPP: Committee on Labor. H. R. 9232. A bill to regulate the rates of wages to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia; with amendment (Rept. No. 1162). Referred to the House Calendar.

Mr. TEMPLE: Committee on Foreign Affairs. H. J. Res. 280. A joint resolution to authorize participation by the United States in the Interparliamentary Union; without amendment (Rept. No. 1163). Referred to the Committee of the Whole House on the state of the Union.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. S. 180. An act to legalize a bridge across St. Johns River 2½ miles southerly of Green Cove Springs, Fla.; without amendment (Rept. No. 1164). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 1578. An act to extend the times for commencing and completing the construction of a bridge across the Illinois River, at or near Peoria, Ill.; with amendment (Rept. No. 1165). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. S. 2114. An act granting the consent of Congress to the Board of County Commissioners of Georgetown County, S. C., to construct, maintain, and operate a free highway bridge across the Pee Dee River, and a free highway bridge across the Waccamaw River, both at or near Georgetown, S. C.; without amendment (Rept. No. 1166). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3741. An act to extend the times for commencing and completing the construction of a bridge across the South Fork of the Cumberland River at or near Burnside, Pulaski County, Ky.; without amendment (Rept. No. 1167). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3742. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Burnside, Pulaski County, Ky.; without amendment (Rept. No. 1168). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3743. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Canton, Ky.; without amendment (Rept. No. 1169). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3744. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Eggners Ferry, Ky.; without amendment (Rept. No. 1170). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3746. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky.; with amendment (Rept. No. 1171). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 11196. A bill to extend the times for commencing and completing the construction of a bridge across the White River at or near Clarendon, Ark.; with amendment (Rept. No. 1172). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 11228. A bill granting the consent of Congress to the State of Illinois to construct a bridge across the Rock River south of Moline, Ill.; with amendment (Rept. No. 1173). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 11240. A bill to extend the times for commencing and completing the construction of a bridge across the Monongahela River at Pittsburgh, Allegheny County, Pa.; without amendment (Rept. No. 1174). Referred to the House Calendar.

Mr. ROBINSON: Committee on Interstate and Foreign Commerce. H. R. 11273. A bill to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa; without amendment (Rept. No. 1175). Referred to the House Calendar.

Mr. ROBINSON: Committee on Interstate and Foreign Commerce. H. R. 11282. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tenth Street in Bettendorf, State of Iowa; with amendment (Rept. No. 1176). Referred to the House Calendar.

Mr. CORNING: Committee on Interstate and Foreign Commerce. H. R. 11430. A bill granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at or near Catskill, Greene County, N. Y.; without amendment (Rept. No. 1177). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 11435. A bill granting the consent of Congress to the city of Rockford, Ill., to construct a bridge across the Rock River at Broadway in the city of Rockford, Winnebago County, State of Illinois; with amendment (Rept. No. 1178). Referred to the House Calendar.

Mr. WHITE: Committee on the Merchant Marine and Fisheries. H. R. 11635. A bill to amend the radio act of 1927, approved February 23, 1927, and for other purposes; without amendment (Rept. No. 1179). Referred to the House Calendar.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11422) granting an increase of pension to Sarah E. Crawford, and the same was referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 11674) granting the consent of Congress to the Mill Four drainage district, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL of Washington: A bill (H. R. 11675) to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use; to the Committee on Indian Affairs.

By Mr. HUDSPETH: A bill (H. R. 11676) to authorize the sale to occupants in good faith of lands held under patent or accretions thereto from the State of Texas and held by the Supreme Court to be within the State of New Mexico, upon the passage of reciprocal legislation by the State of Texas; to the Committee on the Public Lands.

By Mr. LUCE: A bill (H. R. 11677) to amend section 206 (a) of an act approved February 29, 1925 (43 Stat. 1067, U. S. C., title 39, sec. 235) describing mail matter of the third class; to the Committee on the Post Office and Post Roads.

By Mr. REECE: A bill (H. R. 11678) authorizing and directing the Secretary of Agriculture to establish and maintain a tobacco experiment and demonstration station for the South at or near Greeneville, Tenn.; to the Committee on Agriculture.

By Mr. MERRITT: A bill (H. R. 11679) to extend hospital facilities to certain retired officers and employees of the Lighthouse Service, to improve the efficiency of the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Tennessee: A bill (H. R. 11680) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the Dandridge-Newport Road, in Jefferson

County, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDRESEN: Joint resolution (H. J. Res. 304) for the amendment of the acts of February 2, 1903, and March 3, 1905, as amended, to allow the State to quarantine against the shipment thereto, therein, or through of livestock, including poultry from a State or Territory or portion thereof where a livestock or poultry disease is found to exist which is not covered by regulatory action of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. KORELL: Joint resolution (H. J. Res. 305) providing for the participation by the United States in the International Conference on Load Lines, to be held in London, England, in 1930; to the Committee on Foreign Affairs.

By Mr. LUCE: Joint resolution (H. J. Res. 306) establishing a commission for the participation of the United States in the observance of the three hundredth anniversary of the founding of the Massachusetts Bay Colony, authorizing an appropriation to be utilized in connection with such observance, and for other purposes; to the Committee on the Library.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BECK: A bill (H. R. 11681) granting a pension to Mary V. Thorne; to the Committee on Pensions.

By Mr. BOWMAN: A bill (H. R. 11682) granting an increase of pension to Frances M. Evans; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 11683) granting a pension to Elizabeth Stephens; to the Committee on Invalid Pensions.

By Mr. CLARKE of New York: A bill (H. R. 11684) granting a pension to Ida Vosburg Swart; to the Committee on Invalid Pensions.

By Mr. CRAIG: A bill (H. R. 11685) granting a pension to Augusta Bowers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11686) granting a pension to Mary P. Paul; to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 11687) for the relief of Joseph M. Levitas; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 11688) granting a pension to Lewis Crabtree; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 11689) granting an increase of pension to Orlando W. Frazier; to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 11690) for the relief of the Olney National Bank of Hartford, Hartford, Mich.; to the Committee on Claims.

By Mr. MICHAELSON: A bill (H. R. 11691) authorizing the President to appoint John Ogden Kilgore, formerly a second lieutenant of Infantry, United States Army, a second lieutenant of Infantry, United States Army; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 11692) granting an increase of pension to Mame Lillian Willis; to the Committee on Invalid Pensions.

By Mr. PALMISANO: A bill (H. R. 11693) granting a pension to Minnie Eaton; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 11694) granting an increase of pension to Carolyn L. Bacon; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 11695) granting compensation to Charles A. F. McIsaac; to the Committee on Claims.

By Mr. WHITLEY: A bill (H. R. 11696) granting an increase of pension to Elizabeth A. Schlick; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6771. By Mr. BRIGHAM: Petition signed by R. P. Streeter, Alton H. Pratt, George H. Towle, and several others, of Franklin, Vt., relative to an adjustment between radio stations WLS and WNER, Chicago, in favor of WLS running full time; to the Committee on the Merchant Marine and Fisheries.

6772. By Mr. CONNERY: Resolution of Lazarus Davis Lodge, No. 548, protesting against registration of aliens; to the Committee on Immigration and Naturalization.

6773. By Mr. CONNOLLY: Letter from the Philadelphia (Pa.) Real Estate Board, inclosing copy of resolution adopted by that organization strongly protesting against passage of the bill (H. R. 10887) authorizing the construction of a bridge across the Delaware River at or near Wilmington, Del.; to the Committee on Interstate and Foreign Commerce.



6774. Also, resolution adopted by the Vessel Owners and Captains' Association, of Philadelphia, Pa., protesting against passage of the bill (H. R. 10887) authorizing the construction of a bridge across the Delaware River at or near Wilmington, Del.; to the Committee on Interstate and Foreign Commerce.

6775. By Mr. CULLEN: Resolution of the Post Office Square Club of New York City, earnestly requesting Congress to enact into law the La Follette-Kendall short Saturday workday bill; to the Committee on the Post Office and Post Roads.

6776. By Mr. GARNER of Oklahoma: Petition of American Association of University Women, Milwaukee, Wis., in support of the Goodwin bill, H. R. 10574; to the Committee on Interstate and Foreign Commerce.

6777. Also, petition of Red Ball Bus Co., Enid, Okla., making protest against portion of Parker bus bill permitting competing license to be issued for bus lines; to the Committee on Interstate and Foreign Commerce.

6778. Also, petition of executive board of the Oklahoma City Junior League, urging support of House bill 9042; to the Committee on the Library.

6779. Also, petition of Oklahoma Forest Commission, Oklahoma City, urging support of tariff on lumber; to the Committee on Ways and Means.

6780. Also, petition of Farm Seed Association of America, Chicago, Ill., in opposition to increased tariff on alsike clover seed; to the Committee on Ways and Means.

6781. Also, petition of Long-Bell Lumber Co., Longview, Wash., urging support of tariff on lumber; to the Committee on Ways and Means.

6782. Also, petition of Long-Bell Lumber Co., Ames, Okla., in support of tariff on lumber; to the Committee on Ways and Means.

6783. By Mr. HOWARD: Petition signed by Sam Martinson and 41 others of Maskell, Nebr., and vicinity, pleading for passage of House bill 2562, now pending before the Congress, which bill provides for increased rates of pension to men who served in the armed forces of the United States during the Spanish-American War. The 41 other persons are as follows: Ludwig Nedergaard, Oscar Klanderud, H. Bengtson, Ludwig Stolpe, F. M. Schmid, William Nielsen, J. P. Christensen, K. P. Jensen, Ira Cook, Scott Grantham, C. A. Leocimore, and Emanuel Stolpe, of Obert; Alfred R. Olsen, Emil Gunderson, H. J. Lenzen, J. C. Johnson, Lewis Curbenson, P. A. Anderson, C. E. Gee, Jacob Nielson, Ole B. Gunderson, W. H. Gee, Arthur Lukken, Charles G. Johnson, O. C. Harang, O. N. Lukken, J. C. Sorensen, Sam Werger, H. W. Cooke, Oscar Bensen, Nels Birklen, Ole B. Flom, Minor Flom, G. C. Hausman, M. P. Lund, M. H. Wyant, Neal A. Maskell, Ed Whitsett, and Andrew Nelson, of Maskell; A. Lund and Otto C. Johnson, of Hartington, State of Nebraska; to the Committee on Pensions.

6784. By Mr. MILLIGAN: Petition of citizens of Lexington and Wellington, Mo., urging the enactment of legislation granting additional benefits to veterans of the Spanish War and their dependents; to the Committee on Pensions.

6785. By Mr. MOREHEAD: Petition signed by Hon. Clanda Barnell and many others, asking Congress to pass Senate bill 476 and House bill 2562, for relief of the Spanish War veterans; to the Committee on Pensions.

6786. By Mr. NELSON of Maine: Petition of 25 citizens of Maine, urging increased Spanish War pensions; to the Committee on Pensions.

6787. By Mr. WALKER: Petition of Thomas H. Shyrock and others, urging the enactment of the Johnson bill and other legislation relative to World War veterans; to the Committee on World War Veterans' Legislation.

6788. By Mr. TAYLOR of Tennessee: Petition of various business interests, favoring the passage of the Norris bill for the development of Muscle Shoals; to the Committee on Military Affairs.

## SENATE

WEDNESDAY, April 16, 1930

(Legislative day of Monday, April 14, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

### MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 686. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910;

S. 3473. An act to amend the act of Congress approved March 16, 1926, establishing a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes;

S. 3747. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River;

S. 4027. An act to legalize a bridge across the American Channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich.;

H. R. 8960. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 9442. An act to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes;

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.; and

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

### SENATORIAL EXPENSES IN 1930 CAMPAIGN

The VICE PRESIDENT. The Chair desires to make the following announcement:

The Senator from Maryland [Mr. GOLDSBOROUGH] has asked to be excused from service on the special committee appointed to investigate campaign expenditures in the 1930 campaign. Without objection, his request will be granted, and the Chair appoints the Senator from Connecticut [Mr. BINGHAM] to succeed him.

Mr. BINGHAM subsequently said: Mr. President, during my absence from the Chamber this morning the Vice President appointed me to membership on the special committee investigating campaign expenditures in the 1930 campaign. I regret that this was done without consultation with me. Some time ago I accepted an appointment from the President as chairman of the American Samoan Commission, which must go to American Samoa this year—it should have gone last year—to carry out the provisions of the law providing for a study of conditions there and recommendations for an organic act. In view of the fact that the special committee to which I have been appointed must hold meetings during the summer, and the impossibility of being in two places at once, I must ask to be relieved of service on the special committee. I hereby tender my resignation.

### PRESERVATION OF SCENIC BEAUTY OF NIAGARA FALLS

Mr. BORAH. Mr. President, the President sent to the Senate a few days ago a report of the special International Niagara Board. It has some relation to a treaty with Canada now pending in the Senate. The President asked in his communication that the same be published as a public document. I am authorized by the Committee on Foreign Relations to ask unanimous consent that the same be printed as a Senate document, with illustrations.

The VICE PRESIDENT. Without objection, it is so ordered.

### PETITION

Mr. GILLET presented a petition of citizens of the town of Essex, Mass., praying that the John Wise House, so called, and some 100 acres of adjoining land located in the north end district of the township be acquired and preserved as a monument to the "Father of American Independence," and to mark the birthplace of American freedom, to be known as the John Wise National Memorial, which was referred to the Committee on the Library.

### CATAWBA INDIANS IN SOUTH CAROLINA

Mr. BLEASE. Mr. President, I ask permission to have printed in the RECORD an article from the Charlotte Observer of Sunday, April 13, 1930, relating to the condition of the Catawba Indians of South Carolina; also an editorial from the same paper of the same date relating to the same subject. I ask that the article and the editorial may be referred to the Committee on Indian Affairs because of their value in the consideration of matters pending before that committee relating to these Indians.